

ance to Poland as long as she occupies invaded territories; to the Committee on Foreign Affairs.

By Mr. HUDDLESTON: Petition of G. W. Adams and others, customers of Mr. Giodanes, 632 North Twenty-fourth Street, Birmingham, Ala., for repeal of tax on soda, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. JOHNSON of Mississippi: Petition of the Ellisville Congregational Methodist Church, of Ellisville, Miss., Sunday school, Ladies' Aid Society, and visitors, protesting against the repeal of the prohibition law; to the Committee on the Judiciary.

Also, petition of sundry citizens of Seminary, Miss., and the Mississippi Association, protesting against the Federal tax on soda water, patent medicines, toilet articles, etc.; to the Committee on Ways and Means.

By Mr. KALANIANAOLE: Petition of Maui Chamber of Commerce asking that the Federal good-roads act be amended to include the Territory of Hawaii; to the Committee on Roads.

Also, petition of the Board of Trade of Hilo, Hawaii, asking that the Federal good-roads act be amended to include the Territory of Hawaii; to the Committee on Roads.

By Mr. KAHN: Petition of Christadelphians of Ridgewood, N. J., praying for exemption from military training; to the Committee on Military Affairs.

By Mr. KLECZKA: Petition of 52 citizens of Milwaukee, Wis., requesting the repeal of the luxury-tax law; to the Committee on Ways and Means.

By Mr. LAMPERT: Resolution of the Common Council of the city of Milwaukee, Wis., in favor of the amendment of the wireless ship act; to the Committee on Naval Affairs.

By Mr. LONEGAN: Petition of Norden Lodge, No. 37, New Britain, Conn., International Order of Good Templars, for prohibition enforcement law; to the Committee on the Judiciary.

By Mr. MCGLENNON: Petition of the Board of Commissioners of the city of Hoboken, N. J., urging the adoption by the Congress of the United States of a resolution providing for the recognition of the Republic of Ireland; to the Committee on Foreign Affairs.

By Mr. NOLAN: Petition of Retail Furniture Association of California favoring the exclusion of Japanese; to the Committee on Immigration.

By Mr. REBER: Petition of John F. Hayes, past commander; Timothy P. McCain, commander; William H. Conry, senior vice commander; William G. Bees, adjutant; and John W. Fogel, quartermaster, Colonel Theodore Roosevelt Camp, No. 25, Spanish-American War Veterans, of Shenandoah, Pa., asking for donation of one German cannon or fieldpiece to be placed on a plot of ground which the Spanish-American war veterans own in the Annunciation Cemetery for the burial of deceased members; to the Committee on Military Affairs.

Also, petition of Joe Yakamavege, of Tamaqua, Pa.; Charles Boches, of Shenandoah, Pa.; and Thomas Kutskill, of Shanandoah, Pa., urging the United States to demand the withdrawal of Polish troops from Lithuanian territory and to give Lithuania a moral support in her war against Bolsheviks; to the Committee on Foreign Affairs.

Also, petition of Thomas Vilkutis, Frank Wasilians, William Walacavage, Paul Walacavage, all of Tamaqua, Pa., and Thomas Kazlanska and Y. Kralkas, of St. Clair, Pa., asking the United States to demand the withdrawal of Polish troops from Lithuanian territory and to give Lithuania a moral support in her war against Bolsheviks; to the Committee on Foreign Affairs.

By Mr. SANFORD: Petition of residents of Troy, N. Y., opposing enforcement of the eighteenth amendment; to the Committee on the Judiciary.

By Mr. SINCLAIR: Petition of the Woman's Club of Botineau, N. Dak., indorsing the Smith-Towner educational bill; to the Committee on Education.

Also, petition of citizens of De Sart, N. Dak., for the repeal of tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. SMITH of Illinois: Petition of sundry citizens of the seventeenth district of Illinois for the repeal of the tax on candy, ice cream, etc.; to the Committee on Ways and Means.

By Mr. VARE: Petition of Grand Lodge of Brotherhood of Railroad Trainmen, supporting the league of nations; to the Committee on Foreign Affairs.

By Mr. WASON: Petition of Charles W. Pierce and 97 other members of Charity Lodge, residing in Wilnot Flats, N. H., and vicinity, urging the enforcement of the eighteenth amendment to the Constitution; to the Committee on the Judiciary.

By Mr. WATSON of Pennsylvania: Resolution adopted by the National Association of Sheet and Tin Plate Manufacturers to forbid the immigration of foreigners into this country; to the Committee on Immigration and Naturalization.

By Mr. WHITE of Maine: Petition of Frank Whitney and others, of Farmington, Me., protesting against the so-called Lane bill for the reclamation of land for soldiers; to the Committee on the Public Lands.

By Mr. YATES: Petition of Frank E. Fresel, W. F. Shorte, John Bannler, and Fred Kleinkert, all of Chicago, Ill., protesting against the league of nations; to the Committee on Foreign Affairs.

Also, petition of Denton & Anderson, of Chicago, protesting against any legislation for the repeal of the recent zone advance on magazine advertising pages as class legislation; to the Committee on the Post Office and Post Roads.

Also, petition of the Biscuit & Cracker Manufacturers' Association of the United States; the American Hampshire Sheep Association, C. A. Taylor, secretary; Chester (Ill.) Retail Merchants' Association, Fred Middendorf, secretary, urging retention of recent zone advances on advertising pages of periodicals; to the Committee on the Post Office and Post Roads.

Also, petition of the Traffic Club of Chicago, urging the principles of the so-called Esch-Pomerene bill, now pending, and suggesting an amendment, and opposing the Poindexter long-and-short haul bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Union Furniture Co., of Rockford, Ill., urging the passage of legislation to compel magazine publishers to pay enough postage to protect the Government from loss in the carrying of the same; to the Committee on the Post Office and Post Roads.

Also, petition of the Central Christian Church, of Peoria, Ill., urging enforcement of constitutional and war-time prohibition; to the Committee on the Judiciary.

Also, petition of the National Confectioners' Association of the United States, urging the repeal of the 5 per cent excise tax on candy; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES.

SATURDAY, July 12, 1919.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, God, our Heavenly Father, constant in Thy care over us, faithful in Thy ministrations unto the children of men, we would draw near to Thee in prayer, that our minds may be illumined, our hearts purified, our conscience quickened, that we may walk worthy of the high calling of heaven, as revealed in the incomparable life and character of Thy Son Jesus Christ, the world's Great Exemplar. Amen.

The Journal of the proceedings of yesterday was read and approved.

TREATMENT OF OUR SOLDIERS.

The SPEAKER. Under the order of the House the gentleman from Massachusetts [Mr. DALLINGER] is recognized for five minutes.

Mr. DALLINGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and to include a letter received by me from a soldier.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the Record in the manner indicated. Is there objection?

There was no objection.

Mr. DALLINGER. Mr. Speaker, I hold in my hand a letter which I have received from Mr. James W. Beckman, of New York City, a former sergeant major with our troops in France. It contains some of the charges against the officials of the provost marshal's office of the American Expeditionary Forces at Paris that are appearing daily in the New York Globe and other papers of the country. I have met Mr. Beckman, have read copies of affidavits substantiating these charges, have talked with men who served in the Army in France, who state that the conditions described were matters of common knowledge to the American soldier in France, and have become convinced that there is truth in these reports.

Briefly, it is charged that our soldiers who went to France imbued with patriotism—the best blood of our land—sailed across the sea to fight despotism and found a species of despotism worse than that for which we are going to punish the Kaiser. Assertions are made that our own loved ones were beaten, clubbed, starved, all in the name of democracy; that men caught in the web of the American military police system of Paris were placed in prison pens squalid than those of Andersonville; that our soldiers, some of them wearing wound stripes,

some returning to duty after weeks and months of suffering in hospitals, were thrown into prison without trial and without charges ever being preferred against them for such offenses as failure to have proper military travel orders in their possession. Evidence is produced showing that men were hit and clubbed until they bled and fainted, and that one man even preferred death to the treatment to which he was subjected and took his own life.

One can only gasp at such tales of barbarism. It takes one back to the horrors of the middle ages and the tragedies of the French Revolution for a fitting parallel. Our own men captured in the heat of battle by the Hun, captured at a time when blood ran free, were treated with loving kindness in comparison.

Let me at least quote to the House, Mr. Speaker, three short paragraphs of this letter sent me by Sergt. Beckman. He writes:

A most horrible incident was the case of a soldier who could not speak English very well, much less understand it thoroughly. He was struck and beaten for not snapping to a minor command. He cried, "This is terrible."

"We'll show you how terrible it is," replied those who were beating him, and he was taken before the personnel officer and two sergeants. A lieutenant beat him again, and put him in a cell on bread and water. Evidently they considered this too good for him, so he was placed in a pup tent for solitary confinement.

During the afternoon his quietness was noticed, and when they went over and tore his tent down he was lying on his back with his throat cut. It was about an hour before the ambulance arrived and the silent form borne off to the hospital. And thousands of miles across the sea and land perhaps there awaited a gray-haired mother with a service star in the window of her humble home, who received word from the War Department that Gen. Pershing had reported her son among those who "died from other causes."

As the chosen representatives of 100,000,000 free people we can not sit idly while stories of torture such as these are made. They must be proven false or true, and if true every officer and every enlisted man who was in any way responsible for such conditions, either directly or indirectly to blame, must suffer a proper punishment. Democrat and Republican must stand together to institute such reforms in our Army and our War Department that in the future, if it be necessary, we can send our sons and loved ones away again to fight for their country with the assurance that each soldier will be treated as a free man until he is found guilty by a proper court of an infraction of military law.

I have turned over the information in my possession to the select committee of the House appointed to investigate the expenditures in the War Department. I shall watch the investigation of these charges by that committee, and I know that every other Member of this House will do the same. There will be a unanimous demand that the facts be ferreted out. I am confident that this committee will call witnesses and ask for the records of the War Department and conduct an impartial and thorough investigation of the truth of these charges.

NEW YORK CITY, June 20, 1919.

HON. FREDERICK W. DALLINGER,

House of Representatives, Washington, D. C.

DEAR SIR: As a former soldier, who volunteered to fight the fight for democracy and who served in France about one year with the American Expeditionary Forces and who was recently returned to America and honorably discharged with the rank of sergeant major, I wish to lay before you, a Member of Congress, facts relative to the treatment received by loyal American soldiers by the American authorities at Paris. Every charge I make, you will see, is substantiated by copies of affidavits which I attach. Every charge can be proved. I believe you will agree with me that they are of such a horrible nature that they warrant the attention of every loyal American, and especially every Member of Congress. Thus their repetition will become impossible. It should be borne in mind that there is good reason to believe that the same things are going on in France to-day. If there is even a remote possibility of that being the case, I am sure every father and every mother who has a son over there will demand the proper action by Congress, and I believe that the 2,000,000 soldiers who served in France and their parents, families, and friends will want to know of every Member of Congress why he failed—if you and your colleagues do fail—why he failed to do his part to correct conditions when they were brought to his attention.

When a man was picked up in Paris without a pass or with a pass that had expired by members of the American military police, he was taken to the provost marshal, in Ste. Anne's Hotel, Paris. At this place he was given no opportunity to explain his case, but was accused of being absent without leave, a thing that was true in only a comparatively few cases. Most of these men were casuals returning from hospitals or traveling under military orders, but, through lack of knowledge of the Prussian military regulations of the American Army governing Paris, fell victims of the unspeakable American military police system of Paris.

An example of the contemptible manner in which the military police conducted their operations in Paris is the advertisements they ran in the American editions of Paris newspapers that American soldiers in Paris would be welcomed at the Ste. Anne's Hotel. This was the headquarters of the American military police, and soldiers who responded to these advertisements in good faith were arrested if there was the slightest irregularity about their papers. This was a frequent occurrence, because most American officers were so ignorant of Army paper work that they seldom knew how to get any but the simplest military orders right. Once in the clutches of the military police at Ste. Anne's Hotel, the Bastille was only a day away.

Another way men were trapped and betrayed by the military police was when a man would arrive in Paris, say, at the Gare du Nord, a railway station of Paris, perhaps having come from a hospital and not knowing just where to go, would go up to the provost marshal at the station, and explain his situation, and ask for instructions. The military police at the station would be very sympathetic and say to the soldier, "Oh, yes; that can be very easily fixed up if you will just go and see the provost marshal at Ste. Anne's Hotel. They will straighten everything up for you and tell you what to do." So the man would go to the headquarters of the military police as directed by those in authority. But he would be sent without a pass. Naturally, he could not be expected to know the local regulations. That was why he inquired for instructions. There, without being given any opportunity to explain his case at all, he was placed under arrest almost before he knew it and accused of being absent without leave. I am saying accused, because they were put through all their ensuing torture without having any charges preferred against them, nor being allowed to explain their cases and proceed to their organizations.

Prisoners were usually detained at the Ste. Anne's Hotel about one day, when they were transported in trucks to the Bastille. However, on one occasion nine men were forced to stand on the roof of this hotel two days and two nights. If they faltered or fell from exhaustion, they were beaten up by the military police under officers' orders.

The prison used by the American Expeditionary Forces at Paris is a big stone building, inclosed by a strong wall about 15 feet high. It contains many tiers of stone cells, each cell with a padlocked iron door. The cells are small holes in walls strung along dark halls. Each cell has only a single cot.

Two men and often three were forced into a single cell. Four men have been confined in a single one of these cells. In one instance the fourth was compelled to sleep on the floor without a blanket. The men were herded to their cells by a general prisoner by the name of Cohen, who shouted, "Get in your holes, you rats, or you're out of luck."

The guards were a hard lot. One night three of them were playing a game of cards. They got into an argument and one of the guards accused another of something and said he had a good mind to shoot him. The fellow dared him to shoot, and the guard then pulled out his gun and killed the other two. This shows the type of men that were chosen to confine men who were some of America's noblest fighting heroes. The military police were apparently under the influence of liquor most of the time.

When the soldiers entered this prison they were listed as prisoners and subjected to prison regulations. They were compelled to surrender their leggings and all personal belongings, including their money. All during the procedure the soldiers were sworn at and reviled with unprintable language.

One night when a bunch of soldiers were brought there and were waiting in the guard room to be assigned to cells, a soldier did some trivial thing. A noncommissioned officer ordered a sergeant to hit the man. The sergeant in the most casual manner reached over and hit him on the head with a club. It was a common thing at night to hear men groaning. When anyone inquired what was the matter, he was told that the men were being beaten by prison guards.

One man charged with a theft of something like 80,000 francs, about \$15,000, escaped from the prison. The first night of the day of his capture he was beaten into unconsciousness and then revived with cold water and beaten again. This treatment was kept up for three days. The man went about the Bastille with his face all bandaged up and looked like a human wreck.

One night about 10 o'clock a negro was beaten all the way down the hall to his cell and one of the men beating him was heard to say, "You will try to kill a white man, you black ——" "The cries of the negro were frightful," says a report.

Men were ordinarily kept here only one day. However, on one occasion about five or six men taken to the prison in a "detachment" of prisoners were held there for 16 days because their papers had been lost by the military police. During the entire 16 days of their confinement in the prison these men tried every way they could to have an interview with an officer, but were refused. At last, in a general check-up of the number of prisoners it was found that there were five or six more than were accounted for. There were in the neighborhood of a thousand soldiers in the place. It was thus that these men were discovered and sent out to farm No. 2.

In the case of one man who had been in France only a week before his arrest, I understand that while changing trains at Paris, during a necessary wait of a few hours, he became slightly affected with drink, was noticed by an American military policeman, picked up, and sent to Ste. Anne's Hotel. He was held in the prison for 16 days, then sent to farm No. 2 for 16 days, and finally spent 6 days at the stockade. This made a total of 38 days. He had arrived in France November 12, 1918, the day after the armistice was signed, and on the 20th he was a prisoner. Sent to France to fight for the world's liberty and democracy, in the two months he had been there he had been free only 8 days! The rest of the time he was a prisoner with no charge against him being brought up.

Farm No. 2 was then run by Company K, One hundred and fifty-eighth Infantry, of the Fortieth Division. Lieut. Smith was the officer in charge. This lieutenant was known as "Hard Boiled Smith"; in fact, he boasted of it before the men when giving special exhibitions of his criminal brutality. Farm No. 2 was a French farm outside of Paris used by the American Army as a prison camp. There were many stables, three-quarters of which were used by the men of Company K, which numbered about 250 men. The other quarter of the stables was used for the prisoners, who sometimes numbered as high as 1,200 men. These men were quartered in something like 10 stalls, each about the size of a two-horse stall, and a loft just above these stalls. The overflow was put in pup tents in a small yard. About 16 men slept in a single stall. For the 1,200 men there was but one latrine about 12 feet long and 2 feet wide. It was situated close to where the men slept. The insanitary conditions were frightful.

When soldiers arrived at this farm from the Paris prison they were taken, two at a time, to an upper floor of the building used by the company commander as his headquarters. Here they were thoroughly searched by two sergeants in the presence of an officer. If the personal belongings or money of the men had been returned to them before they left the Paris prison, they were taken away from them here. A big box was placed in the center of the room. As the men's belongings were taken from them they were tossed into this box. Lieut. Hepstein sat beside the box and immediately took possession of anything that was valuable. Money was thrown into this box, and there was no way of identifying to whom it belonged. In some cases the men were given receipts for their money; but in others they were not. It all seemed to depend upon the whim of the officer.

Many of the men had been in the lines, where they had fought the Hun to defeat and death. They had acquired a good many souvenirs from Germans killed in battle or taken prisoners. These souvenirs included almost everything—belts, helmets, Lager automatic pistols, watches, iron crosses, medals, and any number of articles. Naturally, the men prized these treasures highly. They had won them in the fight to make the world safe for democracy.

These souvenirs were grabbed by the sergeants and officers with great exultation. The outfit running farm No. 2 during the period herein described had been in France only since the latter part of July or the early part of August, 1918, and none of the men in it ever saw any action. These officers and sergeants were only too glad to rob the men who fought for them of their hard-earned trophies.

It was a common thing to see a sergeant knock a man down or beat him up on the slightest provocation. One morning as the men fell in line for breakfast one man was slightly out of line. Sergt. Ball went up to him and punched him in the face six times.

A most horrible incident was the case of a soldier who could not speak English very well, much less understand it thoroughly. He was struck and beaten for not snapping to a minor command. He cried "This is terrible."

"We'll show you how terrible it is," replied those who were beating him, and he was taken before the personnel officer and two sergeants. A lieutenant beat him again and put him in a cell on bread and water. Evidently they considered this too good for him, so he was placed in a pup tent for solitary confinement.

During the afternoon his quietness was noticed, and when they went over and tore his tent down he was lying on his back with his throat cut. It was about an hour before the ambulance arrived and the silent form borne off to the hospital. And thousands of miles across the sea and land perhaps there awaited a gray-haired mother with a service star in the window of her humble home who received word from the War Department that Gen. Pershing had reported her son among those who "died from other causes."

The prison number of this unfortunate young man persecuted into committing suicide was 634. The date was about December 5 or 6, 1918, and the hour his body was borne away was about 3 in the afternoon.

One morning about 9 o'clock four men were taken into one of the stalls in the stable and beaten with blackjacks for 20 minutes. When they came out the blood was streaming from their faces and they were in a horrible condition. Lieut. Hepstein, Sergt. Ball, and a duty sergeant of Company K, One hundred and fifty-eighth Infantry, together with three general prisoners, entered the stall with these four men who were beaten up. A guard with a rifle on his shoulder stood at the door. After the men came out, Lieut. Hepstein and another stood in the door examining their fists. The men were taken over to wash off the blood, and one man, a little weaker than the other three, lingered behind. Sergt. Ball punched him in the ear from behind and kicked him into line with the other three. These men were put on bread and water. A prisoner who carried the water to them said the guard inquired at the kitchen for their bread, but the mess sergeant told him there was no bread, so the men had to go without it.

About 2 o'clock of that afternoon three French women were escorted to the officers' quarters by Lieut. Hepstein, Lieut. Mason, and Lieut. Leslie. That night the piano played until 2 o'clock in the morning.

Some of the men were kept as long as three weeks at this farm and then they were sent to the stockade just outside of Chelles. This stockade was a regular military prison with a big iron fence all around it and lookout posts about 20 feet high. The stockade was even worse than farm No. 2. The men received the same criminal treatment and the living conditions were worse, if possible, than those at farm No. 2, because the stockade was simply an inclosure of mud with no shelter of any kind aside from miserable little tents.

Two of the prisoners at farm No. 2, after the armistice was signed, said they had been prisoners of war in Germany and that the treatment they received in the German prison camps had been far better than that which they received in the Paris prison, at farm No. 2, and in the stockade.

The incidents I have related in this letter I can substantiate, and are contained in an official report from the inspector general of the Second Army Corps to General Headquarters American Expeditionary Forces, and represent only a few of the atrocities committed at these places.

Newly returned soldiers, whom I know personally and on whom I rely, inform me that conditions such as I have described still exist, and that there seems to have been no improvement.

Lieut. Col. Ansell has told us what happens to the soldier for the slightest infraction of Army Regulations. I wonder what sort of punishment has been or will be meted out to those responsible for cruelties and tortures worse than ever experienced at Andersonville.

Very truly, yours,

JAMES W. BECKMAN.

MESSAGE FROM THE PRESIDENT.

Sundry messages, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills and joint resolution of the following titles:

June 30, 1919:

H. R. 2480. An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920; and

H. R. 5312. An act to supply a deficiency in the appropriation for carrying out the act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918.

July 11, 1919:

H. J. Res. 104. Joint resolution providing for the appointment by each Member of the House of Representatives of two persons, whose names shall be placed on the rolls of employees of the House of Representatives;

H. R. 240. An act to authorize the county of Luzerne, State of Pennsylvania, to construct a bridge across the Susquehanna River from the township of Conyngham, county of Luzerne, Pa., to the borough of Shickshinny, county of Luzerne, Pa.;

H. R. 241. An act to authorize the county of Luzerne, State of Pennsylvania, to construct a bridge across the Susquehanna River from the city of Pittston, county of Luzerne, State of Pennsylvania, to the borough of West Pittston, county of Luzerne, State of Pennsylvania;

H. R. 242. An act to authorize the county of Luzerne, State of Pennsylvania, to construct a bridge across the Susquehanna River from the township of Conyngham, county of Luzerne, State of Pennsylvania, to the township of Salem, county of Luzerne, State of Pennsylvania;

H. R. 530. An act for the construction of a bridge across the St. John River between Madawaska, Me., and Edmundston, Province of New Brunswick, Canada;

H. R. 1706. An act authorizing the construction of a bridge and approaches thereto across the Snake River about 3 miles above its confluence with the Columbia River, near Pasco, Wash.;

H. R. 1711. An act to extend the time for constructing a bridge across the Mississippi River at or near the city of Baton Rouge, La.;

H. R. 2954. An act to authorize the construction of a bridge across the Pend Oreille River, between the towns of Metaline and Metaline Falls, in the State of Washington;

H. R. 3478. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes;

H. R. 4226. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes;

H. R. 4630. An act granting the consent of Congress to the county of Miller, State of Arkansas, to construct a bridge across Sulphur River, near the Texas & Pacific Railroad Bridge, in said county and State;

H. R. 4631. An act granting the consent of Congress to the county of Miller, State of Arkansas, to construct a bridge across Sulphur River, at or near Blackmans Point, in said county and State;

H. R. 5227. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes; and

H. R. 5608. An act making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes.

LUXURY TAXES.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent that House bill 2021, on the Union Calendar, No. 3, be referred back to the Committee on Ways and Means.

The SPEAKER. The gentleman from Michigan asks unanimous consent that House bill 2021 on the Union Calendar be referred back to the Committee on Ways and Means. Is there objection?

Mr. CLARK of Missouri. What is the bill?

Mr. FORDNEY. It is a bill introduced and brought up in the House some time ago to repeal section 904 of the revenue act.

Mr. BANKHEAD. Reserving the right to object, what is the purpose?

Mr. FORDNEY. Other bills have been introduced to repeal other sections of the law. A request was made by the Commissioner of Internal Revenue that the matter be postponed as to further repeal of that section of the law until he could make a report to the committee. The committee has received the report from the commissioner, and would like to have the bill referred back.

The SPEAKER. Is there objection?

There was no objection.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent to print with this request a letter received from the Commissioner of Internal Revenue setting forth the estimated revenue that will be collected under that law for the last year and the coming year's taxes.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the Record for the purpose indicated. Is there objection?

There was no objection.

The letter is as follows:

TREASURY DEPARTMENT,
Washington, July 1, 1919.

Hon. JOSEPH W. FORDNEY,
House of Representatives.

MY DEAR MR. FORDNEY: Referring to your telephone request for my opinion with regard to the possible yield of revenue for the first 12-month period under the revenue act of 1918. I regret that our experience thus far, covering only a period of four months under the law,

will not enable me to speak as definitely as you would desire and I should like.

Between July 1, 1918, and February 24, 1919, when the present law went into effect, there was collected from all sources under the act of 1917 and deposited in the general depositories, as reported to this bureau, \$1,081,000,000.

Between the effective date of the present law, February 24, 1919, and the close of the fiscal year, June 30, 1919, there has been collected \$2,758,000,000, making a total for the fiscal year 1919 of \$3,839,000,000.

We have, as you know, had the benefit of only two of the four installment payments under the present law. On the March 15 installment we collected from income and profits taxes \$1,185,000,000; from the second installment, due June 15, we collected from income and profits taxes \$949,000,000. The collections, therefore, from income and profits taxes for the two installments amount to slightly more than \$2,134,000,000.

It is my opinion that the number of individuals and corporations that have paid their income and profits taxes in full will reduce the September and December installments from these sources to possibly \$900,000,000 each, making the collections from income and profits taxes under the law, for the first 12-month period, \$3,900,000,000. The estimated yield under this law from income and profits taxes was \$4,400,000,000. We are expediting the audit of old income and profits returns in such a way that we may be able to make up from back taxes, the canvass of delinquent taxpayers, and other internal-revenue sources the apparent deficit in the estimates above indicated.

We have been delayed in interpreting the law and getting out the necessary regulations and forms for the collection of the sales and miscellaneous taxes, but this is now under full headway, and we expect to collect slightly more than the amount estimated.

I am of the opinion that we shall be able to collect during the first 12-month period under the new law the estimated amount, \$5,800,000,000, and the estimated \$4,000,000,000 during the second 12-month period under the reduced rates. At this time there is not sufficient indication of additional margin over the estimated amounts to justify a recommendation for the repeal of any revenue-producing section of the law other than as already indicated by the department without there should be substituted therefor equally productive revenue sources.

Sincerely, yours,

DANIEL C. ROPER, *Commissioner.*

ABSENCE OF A QUORUM.

Mr. GARNER. Mr. Speaker, I make the point that no quorum is present in order that Members may have an opportunity to hear the President's message.

The SPEAKER. The gentleman from Texas makes the point that no quorum is present, and evidently there is not.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ackerman	Emerson	Johnson, S. Dak.	Ragsdale
Andrews, Md.	Fairfield	Johnston, N. Y.	Rafney, H. T.
Anthony	Fitzgerald	Kearns	Reed, W. Va.
Ashbrook	Frear	Kennedy, R. I.	Riordan
Bacharach	Freeman	Kless	Rouse
Baer	Garrett	King	Rowan
Black	Glynn	Kreider	Rucker
Britten	Godwin, N. C.	Lever	Sabath
Brooks, Pa.	Goodall	Linthicum	Scully
Browne	Gould	Lufkin	Slomp
Browning	Graham, Pa.	McAndrews	Snyder
Brumbaugh	Griest	McClintic	Steele
Caraway	Hamill	Maher	Steenerson
Costello	Hastings	Mann	Stiness
Crago	Heffin	Mason	Sullivan
Cullen	Hickey	Morin	Thompson, Ohio.
Curry, Calif.	Hicks	Mudd	Vaile
Davis, Minn.	Holland	Neely	Vare
Dempsey	Howard	Olney	Voigt
Dooling	Hull, Tenn.	Peters	Wilson, Ill.
Eagan	Humphreys	Phelan	Winslow
Echols	Hutchinson	Porter	Woodyard
Edmonds	Ireland	Purnell	

The SPEAKER. Three hundred and thirty-eight members have answered to their names, a quorum.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

PRINTING THE TREATY OF PEACE.

Mr. CLARK of Missouri. Mr. Speaker, I ask unanimous consent that 30,000 copies of the President's address to the Senate on Thursday last be printed as a House document, to be distributed through the folding room. I endeavored yesterday to secure this as an amendment to the resolution which the gentleman from Ohio [Mr. Fess] offered, but on very bad information he said that it was already printed along with the treaty in the Senate. I then withdrew the amendment which I offered and this morning the gentleman from Ohio [Mr. Fess] tells me that what he stated yesterday was not true. People want the speech. Of course all of the newspapers have published it, but some people keep files of these addresses.

The SPEAKER. The gentleman from Missouri asks unanimous consent that 30,000 copies of the President's address to the Senate on Thursday last be printed as a House document for the use of the House. Is there objection?

There was no objection.

AGRICULTURAL APPROPRIATION BILL—VETO MESSAGE.

The SPEAKER laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

I take the liberty of returning H. R. 3157, "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920," without my signature.

I realize, of course, the grave inconvenience which may arise from the postponement of this legislation at this time, but feel obliged to withhold my signature because of the clause which provides that "at and after 2 o'clock antemeridian on Sunday, October 26, 1919, next, the act entitled 'An act to save daylight and to provide standard time for the United States,' approved March 19, 1918, be, and the same is hereby, repealed."

I believe that the repeal of the act referred to would be a very grave inconvenience to the country, and I think that I am justified in saying that it would constitute something more than an inconvenience. It would involve a serious economic loss. The act of March 19, 1918, to "save daylight" resulted not only from a careful study of industrial conditions by competent men familiar with the business operations of the country, but also from observation of the happy and beneficial consequences of similar legislation in other countries where legislation of this character has been for some time in operation, and where it has resulted, as the act of March 19, 1918, has resulted in the United States, in substantial economies. That act was intended to place the chief business activities of the country as nearly as might be within the limits of daylight throughout the year. It resulted in very great economies of fuel and in substantial economies of energy, because of the very different effect of work done in the daylight and work done by artificial light. It, moreover, served the daily convenience of the many communities of the country in a way which gave all but universal satisfaction, and the overwhelming testimony of its value which has come to me convinces me that I should not be justified in acquiescing in its repeal.

WOODROW WILSON.

THE WHITE HOUSE,

11 July, 1919.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the Agricultural appropriation bill, with the President's veto, be taken up for consideration on Monday next, immediately after the reading of the Journal.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the Agricultural appropriation bill, together with the President's veto, be taken up for consideration on Monday next immediately after the reading of the Journal. Is there objection?

Mr. CALDWELL. Mr. Speaker, reserving the right to object, I would ask the gentleman if he intends to take up the Agricultural bill section by section and go through all of it in the event that the President's veto is sustained?

Mr. MONDELL. Mr. Speaker, my request is to take the bill up for reconsideration, in view of the President's message, under the rules on Monday next, immediately after the reading of the Journal.

Mr. ASWELL. Mr. Speaker, reserving the right to object, why not take it up now?

Mr. MONDELL. I think that the Members want to have a little time in which to consider the veto. There has been no advance information with regard to it. I think it is hardly fair to the House or to the President, and particularly to those Members of the House who are not present to-day, to take the matter up immediately.

Mr. McARTHUR. Mr. Speaker, reserving the right to object, I do not see why this matter is not taken up now, when this large membership is present.

Mr. BARKLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARKLEY. If objection is made to the request of the gentleman from Wyoming, when will the vote be taken on the President's veto?

The SPEAKER. Unless some motion intervenes, it will be taken immediately. It would be in order to move to postpone it.

Mr. BARKLEY. Mr. Speaker, I object.

Mr. MONDELL. Mr. Speaker, I move to postpone the reconsideration of the Agricultural appropriation bill, together with the President's veto, until Monday next immediately after the reading of the Journal.

The SPEAKER. The question is on the motion of the gentleman from Wyoming, that the reconsideration of the Agricultural appropriation bill, with the President's veto, be postponed until Monday next immediately after the reading of the Journal.

The question was taken; and on a division (demanded by Mr. LA GUARDIA and Mr. MCARTHUR) there were—ayes 225, noes 77.

Mr. CANDLER. Mr. Speaker, I demand the yeas and nays. The SPEAKER. The gentleman from Mississippi demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Twenty-four Members have arisen, not a sufficient number, and the yeas and nays are refused.

Mr. FIELDS. Mr. Speaker, I demand the other side.

The SPEAKER. A vote has just shown 302 Members present, and the Chair does not think he is called upon to ask for the other side.

So the motion to postpone was agreed to.

SUNDRY CIVIL APPROPRIATION BILL—VETO MESSAGE.

The SPEAKER laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

I find myself obliged to return H. R. 6176, "An act making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes," without my signature, because of certain items of the bill which seem to me likely to be of the most serious consequences. Under the vocational rehabilitation bill, which became law June 27, 1918, the Congress has sought to fulfill the expectations of the country that their soldier, sailor, and marine disabled in the recent war should be given an opportunity to secure at the expense and under the fostering care of the Federal Government such training as he needs to overcome the handicap of his disability and to resume his place as a civilian able to earn a living upon something like equal footing with those with whom he was associated before he made his great sacrifice for the honor and defense of the country.

The work of rehabilitation under this admirable law is now at its height, and was to have been given greater speed and certainty by the amendment to section 2 of the vocational rehabilitation bill, which I have to-day signed, and which places the whole responsibility for vocational training in a single agency, virtually transferring from the War Risk Insurance Bureau to the Federal Board for Vocational Education \$6,000,000 with which to support disabled men in training at the generous figure of \$80 a month for a single man and \$100 a month for a man and his wife.

It is a matter of very grave concern, therefore, that at the very moment when these disabled men are coming in constantly increasing numbers to the Government to avail themselves of this generous plan that there should appear in the sundry civil appropriation bill, which I now return, limiting clauses which will do much more than seriously cripple and retard the beneficial work of restoring these men to useful and contented lives. Those clauses would probably, in fact, if put into effect, nullify the whole purpose of the act and render its administration practically impossible. The section of the bill which I now return, which governs the appropriation for this work, provides the sum of \$6,000,000 for all the expenses of rehabilitation, including the support of the disabled men in training, and this sum is stated to be "in lieu of the appropriation contained in the act approved July —, 1919, amending section 2 of the act approved June 27, 1918." Inasmuch as there are already over 4,000 disabled soldiers, sailors, and marines in training, and inasmuch as another 4,000 will be put into training now that the amendment to section 2 has become law, it is clear that even at the rate of only \$80 a month a sum approximating \$8,000,000 will be required for the mere support of these men, and that under the present appropriation nothing will be available for their tuition and travel or for placing them where they can earn a living, and it will be impossible to meet the needs of the new thousands who are every week seeking the benefits of the rehabilitation act. In the offices of the board in the District of Columbia and in 14 great centers of the United States immediate help is being given to men in need of these services, and these offices are used for the essential purpose of keeping accurate records, of providing proper medical survey of the men, of caring for them in their illnesses, and for various administrative costs inseparable from difficult work of this kind, which must, in the present circumstances, reach to every corner of the United States.

Furthermore, the same section of the sundry civil bill places such limitations upon the salaries which the Federal Board for Vocational Education is permitted to pay that it will inevitably result in the loss by the Vocational Board of a very large number of men who have made themselves especially valuable, and, indeed, indispensable, in this new work by rea-

son of their native ability, their proven general experience, and their special training, and to whose advice the disabled men must look as well as for superintendence in the matter of training and employment. Among these are the vocational advisers, whose special duty it is to study the men in the hospitals, confer with them, and lay out their vocational plans. These hospital cases must, if these men are to be dismissed or allowed to resign, get along entirely without such advice and supervision until they have been able, after their discharge, to make their way on their own initiative to the distant offices of the Federal board.

These serious limitations upon the amount of money available and the uses to which it is to be put involves, therefore, an actual disruption of a carefully built up service at the very moment when the disabled soldiers, sailors, and marines now in the country or returning to it are most immediately in need of help. This is a matter of the gravest consequence. It can not but have far-reaching and disastrous effects upon the plan so carefully thought out for the immediate and thorough rehabilitation of men in the service of the country.

I therefore return the bill with the hope that the Congress will reconsider this section of the law, restore the six millions appropriated under the act amending section 2, and most liberally revise the salary limitations, so that this beneficent work may go on and go on at once. I am convinced that in this matter I speak the sentiments and the hopes of those who have most carefully studied the needs of the returning soldiers and who are best qualified to carry out a purpose which I am sure the country has very much at heart.

WOODROW WILSON.

THE WHITE HOUSE,
11 July, 1919.

Mr. GOOD. Mr. Speaker, I move that the bill H. R. 6176, the sundry civil appropriation bill, and the President's message in regard thereto, be referred to the Committee on Appropriations.

Mr. BANKHEAD. Mr. Speaker—

The SPEAKER. The gentleman from Iowa moves that the President's message be referred to the Committee on Appropriations.

Mr. GOOD. And on that motion I move the previous question. The previous question was ordered.

Mr. KINCHELOE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KINCHELOE. If the motion of the gentleman from Iowa should not prevail—that is, if it should not be referred to the Committee on Appropriations—when would the vote on the question of sustaining or overriding the veto come?

The SPEAKER. It will be voted on immediately, unless some other motion shall direct or fix some other time.

Mr. BANKHEAD. Mr. Speaker, if it is in order, I was taken by surprise by the motion of the gentleman from Iowa. [Cries of "Regular order!"] I am not objecting to its going to the committee, but as a matter of justice and fair dealing I think I should be permitted to ask the chairman of the Committee on Appropriations one or two questions.

Mr. GOOD. The previous question has been ordered; there is only one question before the House.

Mr. BANKHEAD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BANKHEAD. I want to ask if under the rules of the House debate is not allowed upon a motion of this sort?

The SPEAKER. Twenty minutes on a side is allowed.

Mr. BANKHEAD. I ask for recognition.

The SPEAKER. The Chair recognizes the gentleman from Iowa first. Does the gentleman from Iowa desire to be heard?

Mr. GOOD. Mr. Speaker, I do not care at this time to be heard upon the motion at all. I reserve the remainder of my time.

The SPEAKER. Unless some member of the Committee on Appropriations on the minority side desires recognition the Chair will recognize the gentleman from Alabama.

Mr. MOORE of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOORE of Pennsylvania. Was not the motion for the previous question carried?

The SPEAKER. It was.

Mr. MOORE of Pennsylvania. Then what is the parliamentary status?

The SPEAKER. There are 20 minutes on a side on the previous question.

Mr. BANKHEAD. Mr. Speaker, I desire to make a very brief statement in connection with the veto message of the

President as relating to this appropriation. The Members of the House who are present will remember that when we had up the discussion of the sundry civil bill carrying this item that in connection with the other members of the Committee on Education I very sincerely and earnestly sought to impress upon the membership of the Committee of the Whole House at that time the utter inadequacy of the appropriation carried in the bill for the purpose of carrying on the work of the Vocational Board. And when the matter came back to the House and was reported by the conferees Members will recall I asked the chairman of the Committee on Appropriations—

Mr. MADDEN. Mr. Speaker, I make the point of order that the gentleman is not discussing the motion to postpone or refer. I make the point of order—he must confine himself to the question before the House.

The SPEAKER. The gentleman is correct. The question before the House is to refer to the Committee on Appropriations, and the gentleman, of course, must confine himself to that motion.

Mr. BANKHEAD. Mr. Speaker, I was merely stating the preliminary situation before referring to that proposition. As far as I am personally concerned, without any conference with the other members of the Committee on Education, I have no objection to this motion which has been offered by the gentleman from Iowa, but I would like to inquire of the chairman of the Committee on Appropriations, in view of this proposed reference to his committee, in view of the statements made by the President, and in view of the statements contained in the summary of the situation which I had printed in the CONGRESSIONAL RECORD on Wednesday, whether or not the chairman of the Committee on Appropriations will be inclined to reconsider the proposition upon its merits at an immediate date and refer the matter back to the House, and if so, when?

Mr. GOOD. I will say to the gentleman it has always been the policy of the Committee on Appropriations in a matter of the importance of this provision to give it full consideration within the time that the committee can consider it. The committee did consider this matter. The limitation placed upon the bill with reference to salaries is much more liberal than the bill which the gentleman voted for in the last Congress and which passed the House with much more stringent limitations as to salaries. The very thing that the President complains of passed the House without a dissenting vote, and even the presidential voice was not heard with regard to that action, which took place more than four months ago, until 12 days after this bill should have become the law. My object in sending the bill to the Committee on Appropriations is that this matter might be investigated and find out what the merits of the presidential message were in that respect, and if the situation is serious to correct it.

Mr. HARDY. Mr. Speaker, I raise the question that the gentleman from Iowa is pursuing the very path of the gentleman from Alabama, that he is discussing the merits of the bill.

The SPEAKER. The Chair thinks the gentleman from Iowa was discussing the question of whether it should go to the committee or not.

Mr. BANKHEAD. As far as I am concerned, I do not care to raise that phase of it. I think the remarks of the gentleman from Iowa clearly indicate, as far as that is concerned, he has the same fixed opinion upon this proposition that he had entertained heretofore, and I want to ask the gentleman if he in these hearings will call before the committee the Director of the Vocational Board and those who have charge of its administration in an executive way—

Mr. MADDEN. Mr. Speaker, I insist on my point of order. The only thing before the House is the question of whether this matter shall be postponed or be referred to the committee. A discussion on the merits of the bill is not before the House.

The SPEAKER. The point of the gentleman from Illinois is well taken, that the only subject before the House is the reference to the committee, but the House in determining whether it shall be referred or not can properly consider in some measure the objections that are made to it. The Chair thinks the colloquy between the gentleman from Alabama and the gentleman from Iowa was in order.

Mr. BANKHEAD. Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The previous question has been ordered. The question is on referring the bill with the veto to the Committee on Appropriations.

The question was taken, and the motion was agreed to.

PROHIBITION OF INTOXICATING BEVERAGES.

The SPEAKER. The House under its previous order automatically resolves itself into the Committee of the Whole House on the state of the Union for the further consideration of the

prohibition-enforcement law. The gentleman from Iowa [Mr. Good] will take the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6810, of which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 6810) to prohibit intoxicating beverages, and to regulate the manufacture, production, use, and sale of high-proof spirits for other than beverage purposes, and to insure an ample supply of alcohol and promote its use in scientific research and in the development of fuel, dye, and other lawful industries.

The CHAIRMAN. There remain 3 hours and 13 minutes for general debate, 1 hour and 35 minutes to be controlled by the gentleman from Minnesota [Mr. Volstead] and 1 hour and 38 minutes by the gentleman from Missouri [Mr. Igor].

The gentleman from Minnesota is recognized.

Mr. VOLSTEAD. I yield to the gentleman from Iowa [Mr. Boies].

Mr. BOIES. Mr. Chairman and gentlemen of this Sixty-sixth Congress, in the discussion of this bill, which is designed to give effect to the eighteenth amendment to the Constitution of the United States, it has been stated by a Member of this House that this bill was not drafted by the Judiciary Committee. As a member of the committee, I can not state who was the author of the original draft; but I am able to say that the bill as presented to this House by the chairman of the committee is not, by any means, the original draft but is the faithful presentation of the views of a very large majority of the committee, after hearings and discussions extending over a period of nearly 30 days. And I give credit to every member of the committee for his earnestness in urging his attitude in connection with the many propositions that were proposed, discussed, and considered.

While a majority of the committee is responsible for the presentation of this bill, the real responsibility now rests upon the Members of this House. The work of adding an amendment, of any kind or character, to the Constitution of this Government involves a most serious undertaking. One that should not be attempted unless a great national question is involved affecting vitally the lives, happiness, and welfare of the people of this Nation—in the language of the preamble of our Constitution: "Promote the general welfare."

So important did the framers of our Constitution regard the matter of amendments thereto that they provided the method, and declared that before an amendment could be lawfully proposed two-thirds of both Houses of Congress shall deem it necessary, or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments. This done, the proposed amendment does not become a part of the Constitution until the legislatures of three-fourths of the several States ratify the proposal.

All this precaution has attended the adoption of Article XVIII, with which we are dealing, and which has now become and is a part of the supreme law of the land. Every Member of this Congress has taken a solemn oath to support and defend this article as fully and to the same extent as the other 17.

This is a Republic in fact when ruled by a majority of the people, and it occurs to me that a Congressman, of all other citizens, can ill afford to suggest that any law this Congress enacts to give force and effect to Article XVIII will not be obeyed.

I am also convinced that the gentleman who said in his discussion of this bill that the next or any subsequent Congress could make provision for an intoxicant containing 12 per cent of alcohol did not fully realize what he was saying. As, if the gentleman's statement is correct, a subsequent Congress might repeal the one-half of 1 per cent clause and in lieu thereof insert 70 or even 100 per cent.

In such event, I ask the gentleman what he thinks the Supreme Court of the United States would say about such an amendment.

This amendment to the Constitution authorizes this Congress to pass laws for its enforcement. The amendment means just what the words import—to prohibit the manufacture, sale, or transportation, importation, or exportation of intoxicating liquors for beverage purposes. Three States of this Union only have neglected to ratify this amendment. There is but one side to the question as to where our duty lies. The people of this country, without regard to politics, expect Congress to enact laws that will enforce the provisions of this constitutional amendment and to effectually enforce them.

Much quibbling is being indulged in on the question, What is intoxicating liquor? There are certainly degrees of intoxication, and it is well known that the degree of intoxication depends upon the per cent of alcohol contained in the liquor and the quantity taken into the stomach within a given time.

The Supreme Court of Iowa has held many times, under the statute prohibiting the sale of intoxicating liquor, that the sale of any beverage containing any alcohol whatsoever is prohibited. Iowa is not alone in such construction of like statutes. It is supported by the decisions of the courts of other States and of the Federal courts.

The broad statements of some physicians, testifying in favor of the brewers, that 2½ per cent alcohol in beer is not intoxicating is misleading. They should be subjected to a cross-examination and their full testimony considered before it can be fairly urged that what they say upon direct examination constitutes all the testimony in the case. The average man, who has touched elbows with his fellow men for a considerable portion of his life, undoubtedly knows that one ordinary glass of 2½ per cent beer would not perceptibly intoxicate a person. But it does not follow that such a beer is not an intoxicating beverage. Would any live doctor say that 10 glasses of 2½ per cent beer would not intoxicate the average person—man or woman, boy or girl—consumed within two hours or even five hours? It probably has been the general observation that some persons may become drunk on a quantity of alcohol that would not perceptibly intoxicate some other person. This is not the question presented to us for our consideration and determination. We are bound, in all good conscience, here and now, to enact such laws for the enforcement of this eighteenth article of the Constitution as will meet the judgment of the people of this country and as is contemplated by this amendment.

There being no argument in favor of the saloon, there being no excuse for the liquor traffic, the same having become an outlawed business, and so considered by 90 per cent of the people of this country, I can furnish small excuse, if any, for detaining you at any great length. However, there is one question to which I desire to call your attention.

The professional bootlegger is by nature a criminal, and, as such, should be dealt with. The bootlegger is the villain who hands out the vilest of vile whisky to the boys of this country. He transacts his business in the back alleys and other out-of-the-way places; he is an animal in human form, but without humanity in his breast. He supplies the poor, weak man with that which kills. Fathers and mothers fear and loath this outlaw.

In this bill now under consideration there is no provision for enjoining the bootlegger. It is true that criminal action may be instituted against him, but this is not sufficient. From my experience of more than 35 years as a lawyer and as a judge I know that the needs of society demand that the bootlegger be enjoined when he offends against the law. Under this bill as it now reads you may prosecute him criminally, but this means delay in many cases, which are unnecessary to enumerate at this time, as it is well understood by the layman as well as the lawyer that continuances are frequent, that juries do not always agree, and that sometimes even a bootlegger has sympathizers in the jury box. With this injunction once applied, you can take this traitor to humanity immediately upon his offending and dispose of him summarily, yet justly.

In view of my experience in handling the bootlegger, at the proper time I shall offer an amendment, and in order that the Members of this House may have time to consider the same I will now advise you of its contents, to wit:

Sec. —. That any person who shall, with intent to effect a sale of liquor, by himself, his employee, servant, or agent, for himself or any person, company, or corporation, keep or carry around on his person, or in a vehicle, or other conveyance whatsoever, or leave in a place for another to secure, any liquor, or who shall travel to solicit, or solicit, or take, or accept orders for the sale, shipment, or delivery of liquor in violation of this title is guilty of a nuisance, and may be restrained by injunction, temporary and permanent, from doing or continuing to do any of said acts or things and from otherwise violating the provisions of this title.

In such proceedings it shall not be necessary to show any intention on the part of the accused to continue such violations if the action is brought within 60 days following such violation of the law.

I desire to register my disagreement with the claims made upon this floor, that a man should be permitted to "live his own life." Such claim may receive indorsement when such life, or the opportunity for a certain mode of life, does not jeopardize the lives and the welfare of the many. This claim, in its broad sense, means license, not liberty. The individual who refuses to sacrifice a little for the good of the many is burdened with mistaken notions regarding his obligations to his neighbors, to his Government, and to the world.

I submit that the fair fame of labor and the good name and memory of the American soldier have been insulted, directly and by innuendo, in the effort to connect them, as great bodies of men, with those who stand guard in defense of the liquor traffic. [Applause.]

Mr. REBER. Will the gentleman yield for a moment?

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARD. Mr. Chairman, in the temporary absence of the gentleman from Missouri [Mr. IGOE], I yield 15 minutes to the gentleman from California [Mr. KAHN]. [Applause.]

Mr. KAHN. Mr. Chairman, the constitutional amendment for prohibition has been adopted. There is no doubt but Congress should pass some law regarding the question of what is intoxicating liquor. But the provisions of this bill, in my judgment, will cause constant violations of the law. They are altogether too harsh, too drastic. I want to call to the attention of the committee a little colloquy that occurred on this floor on the 30th of December, 1918. The gentleman from Missouri [Mr. RUCKER] was speaking, and said, among other things, this:

Let me remind the gentleman that in all probability we would have to-day two saloons in this Capitol, as we did have for many years, if it had not been that the law which drove the whisky out of the Capitol was not brought in on a separate bill, but was ingrafted as legislation upon an immigration bill, and, as a matter of fact, was voted for in derision by a good many gentlemen.

Mr. KITCHIN said "it was put on as a sort of a joke."

Mr. CANNON then interrupted and said:

Mr. Speaker, will the gentleman yield for a suggestion right there?

Mr. KITCHIN said "Yes."

Then Mr. CANNON continued:

My observation is that while they do not sell liquor down in the restaurant it is quite as easy to get liquor of any kind in the Capitol as it ever was.

Mr. RAKER. Will the gentleman yield there?

Mr. KAHN. No; I can not yield.

And there was not a single Member on the floor of this House—

Mr. RAKER. Will the gentleman yield right there?

Mr. KAHN. I will not yield. I have only 15 minutes.

And there was not a single gentleman on this floor that denied the accuracy of the statement of the gentleman from Illinois [Mr. CANNON].

I repeat, and the RECORD discloses the truth of my statement, that nobody arose on this floor on that occasion to deny the statement of the gentleman from Illinois.

Mr. RAKER. Now, Mr. Chairman—

Mr. KAHN. I decline to yield.

The CHAIRMAN. The gentleman from California will proceed.

Mr. CANNON. Will the gentleman yield for a suggestion, and that is to cut out everything that was said out of order—

Mr. KAHN. I have only 15 minutes, and I desire to make a statement to the committee. This is an important matter. One can not begin to discuss it as it should be discussed in 15 minutes. Therefore I do not want to be interrupted. Now, Mr. Chairman, there is a great deal of hypocrisy and cant and hysteria in this country. I have never yet been carried off my feet by the excitement or the emotional frenzy of the hour. I want to say here and now that I believe absolutely in temperance, and have always believed in it. I am not a drinking man. I do not drink liquor. There are thousands of men who drink infinitely more in one week than I in five years who are shouting their heads off to-day all over this country for prohibition. I do not question their motives. I do not question the motives of anyone. Everyone must solve these problems according to his own light and the dictates of his own conscience. And I have always had the courage of my own convictions on these questions.

I would not want to serve in Congress a single day if I felt I had to suppress my own views on a question that I considered to be one of fundamental principle in order to be reelected.

Mr. Chairman, there is a third party that ought to be considered in this legislation. I want to quote from William Graham Sumner, of Yale, a very able professor, who in 1884 wrote an essay "On the case of a certain man who is never thought of." I desire to quote at this time from that essay. He speaks of "The forgotten man":

The fallacy of all prohibitory, sumptuary, and moral legislation is the same. A and B determine to be teetotalers, which is often a wise determination and sometimes a necessary one. If A and B are moved by considerations which seem to them good, that is enough. But A and B put their heads together to get a law passed which shall force C to be a teetotaler for the sake of D, who is in danger of drinking too much. There is no pressure on A and B. They are having their own way, and they like it. There is rarely any pressure on D. He does not like it and evades it. The pressure all comes on C. The question then arises, Who is C? He is the man who wants alcoholic liquors for any honest purpose whatsoever, who would use his liberty without abusing it, who would occasion no public question, and trouble nobody at all. He is the forgotten man again, and as soon as he is drawn from his obscurity we see that he is just what each one of us ought to be.

I commend that to the careful consideration of every Member of this House. The biographer of Prof. Sumner informs us that he hated what is commonly known as "gush." What a world of it the professor would have encountered if he had had to listen to the debates on these questions in our days.

Mr. Chairman, I have always opposed prohibition legislation, for two reasons. In the first place, such legislation holds out to the peoples of the world an indictment of the American people. It holds them up as a nation of inebriates, who can not curb their appetites. I deny such to be the case. We are as sober as any nation on earth, and the attitude of 2,000,000 men in France, who were able to buy wine over there and other liquors as well, attests as powerfully as anything I might say on the subject the sobriety of the American citizen under any and every circumstance. [Applause.]

My second objection to such legislation is that it is a mistake to say that prohibition legislation makes for obedience to law. I contend that it leads to lawlessness. You all know that in every prohibition community in this country men violate the prohibition laws. They think it but a little thing to violate such a law. But it is only a step from the violation of what they deem a minor law to the violation of a more serious law.

Let me give you the statistics right here in the District of Columbia, the Nation's Capital, to emphasize what I say. I have here the records from the police court, over the signature of the clerk of that court. He says that the cases in the District branch of the police court are as follows for the period covered:

Cases filed in the District branch of the police court.

Jan. 1 to June 30, 1917	13,138
July 1 to Dec. 31, 1917	16,715
Jan. 1 to June 30, 1918	12,806
July 1 to Dec. 31, 1918	16,628
Jan. 1 to June 30, 1919	17,726

That is more than they ever had before here in the District of Columbia. The cases filed in the United States branch of the police court were as follows:

Jan. 1 to June 30, 1917	3,237
July 1 to Dec. 31, 1917	3,405
Jan. 1 to June 30, 1918	2,820
July 1 to Dec. 31, 1918	4,312
Jan. 1 to June 30, 1919	3,586

This statement is signed by F. A. Sebring, clerk of the police court of the District of Columbia. The collections for fines imposed in that court are equally interesting and enlightening about lawlessness. Here are the figures:

Cash received in the District branch of the police court.

Jan. 1 to June 30, 1917	\$56,642.85
July 1 to Dec. 31, 1917	80,523.30
	137,166.15
Jan. 1 to June 30, 1918	70,351.04
July 1 to Dec. 31, 1918	97,364.45
	167,715.49
Jan. 1 to June 30, 1919	96,169.85

Cash received in the United States branch of the police court.

Jan. 1 to June 30, 1917	\$12,556.45
July 1 to Dec. 31, 1917	15,832.23
	28,388.68
Jan. 1 to June 30, 1918	20,323.46
July 1 to Dec. 31, 1918	29,419.17
	49,742.63
Jan. 1 to June 30, 1919	33,341.73

That is a sum in excess of anything that has ever been collected for a like period in the history of the District of Columbia. I am told, and that statement of cash receipts is also signed by the clerk of the police court of the District of Columbia. So that the statement that is generally made that prohibition laws wipe out crime, here in the Nation's Capital at least, is not borne out by the facts. But in spite of what the records of the District of Columbia disclose I maintain emphatically that the overwhelming majority of Americans are peaceful and law-abiding.

This bill, of course, would prohibit the manufacture of wine. In my own State the wine industry represents an investment of anywhere between \$100,000,000 to \$150,000,000. That industry was fostered not only by the Federal Government, but by our State government. We have a viticultural commission which studied the question of the proper varieties of grapes for wine making. Our farmers and our vine growers were taught what varieties to raise. The Federal Government had experts who conducted experiment stations throughout the wine-growing regions of California to instruct our people what varieties were best suited to our soil and our climate. That industry has gone ahead. Thousands of citizens are engaged in it.

Under this bill not a pint of light wine can be manufactured in California. That whole industry is wiped out. Why, little Switzerland, when she undertook to wipe out the business of the manufacture and sale of one of the injurious liquors—

absinthe—undertook to pay every man who was in that business for the loss he would sustain by reason of the destruction of his business. And yet gentlemen on this floor vote to wipe out a great industry of a great State, fostered by the Federal Government as well as the State government, without any compunction whatever. [Applause.]

The experience of other countries has shown that the drinking of wine and beer is not injurious to the welfare of the people of those countries. But, after all, as I have frequently repeated on this floor, it is not the use but the abuse of alcoholic stimulants that is injurious. I repeat what I have stated on previous occasions regarding prohibition legislation—that, in my opinion, those who can not control their appetites for stimulants will resort, under prohibition, to the use of habit-forming drugs. That is infinitely more harmful to a nation than the use of alcohol.

Men in authority in the large cities of the country have called attention to the fact that since the prohibition wave has begun to sweep over our country the drug habit has begun to increase enormously. Therefore, I say, let us have rational and not radical legislation regarding the use of alcoholic liquors.

I repeat what I said at the beginning of these remarks—that this proposed legislation is so severe and so drastic that if enacted as it has been reported from the Committee on the Judiciary it will defeat its own ends.

Mr. IGOE. Mr. Chairman, I yield 10 minutes to the gentleman from Maryland [Mr. COADY].

The CHAIRMAN. The gentleman from Maryland is recognized for 10 minutes.

Mr. COADY. Mr. Chairman and gentlemen of the committee, I was a Member of the Sixty-third Congress and voted against the Hobson prohibition resolution that came before this House for consideration at that time and which failed to get the necessary two-thirds vote. I voted against the submission of this resolution, and I voted against it because I believed the action of this House in favor of that submission constituted a dangerous invasion of the rights of the States and one which I fear will come back to plague that section of the country from which so many votes in its favor came and from that section of the country whose Members violated the principles of a lifetime—the principles and doctrine of State rights.

Already, Mr. Chairman and gentlemen, I hear rumblings of what is to come, not only from the majority side of this Chamber but from this side as well, and it will be retributive justice. You can not violate a principle without suffering the effects that flow from such violation.

As for myself, I sincerely trust it will not come, and if a measure of that kind is submitted here it will not receive my vote.

The gentleman from Pennsylvania [Mr. MOORE], one of the able members of the Committee on Ways and Means, one of the best-posted men on finance and revenue, told this House the other day that the loss of revenue that will be occasioned will amount to \$1,000,000,000. That loss will be sustained without any substantial benefit accruing to the country.

A great many of the Members who have preceded me have told us that you can not enforce an amendment of this kind, and that you can not enforce the strict provisions of this so-called enforcement act. We have heard that not only from men who are antiprohibitionists, but we have heard it from men who have been prohibitionists all their lives and have always voted for State prohibition. The gentleman from Massachusetts [Mr. FITZGERALD] told us about the conditions in Maine, close by his own State. I do not know why he went away up to Maine to find out the existence of conditions under prohibition. He could find them right here in the District of Columbia.

And in that connection I would like to read to the House just a portion of a letter written to the Baltimore Sun by a gentleman who in his day was one of the most noted journalists here in Washington, an observant man, a man not given to exaggeration. He is now retired. Let me read what he says about conditions here in the District of Columbia. He answers the statement that prohibition has bettered the conditions in the District, and he starts out by saying:

Have they? Come over to Washington and see for yourself. In the last 12 months there have been more murders, more burglaries, more rapes, more pocketpicking, more holdups than in any similar period during the "wicked" era. The police force seems to have disappeared from the streets of the city. It is said they are scouring all the adjacent country roads in Maryland, chasing after pints of whisky in the pockets of bootleggers. Of late there is not an hour in the day or night that some crime is not committed in this city, and not minor offenses by any means. In one week there were five criminal assaults made on white women by negroes and not one offender caught. Women are almost afraid to venture out alone after dark.

A truthful picture of conditions in the District of Columbia since you forced prohibition down the throats of the people

here without giving them an opportunity to be heard. You, Mr. Chairman, and I, and every Member of the last Congress, remember how that bill was brought in and how a gag rule was invoked, and how discussion was cut off, and not a man who opposed that bill was permitted to discuss it for a minute. Some of the ablest constitutional lawyers in this House have said that this bill is not constitutional. Oh, but, Mr. Chairman and gentlemen, I do not expect that to have any weight with these men in this House who are intent upon putting over on us this enforcement act. What, Mr. Chairman, is the Constitution among the followers and adherents of the Anti-Saloon League when they want to carry out their own purposes? I was very much pained the other day when the gentleman from Michigan [Mr. CURRIE], who, I believe, is a member of the Judiciary Committee—I am sorry he is not here to-day—took occasion in the course of his remarks to reflect upon people who came to Washington to exercise rights guaranteed to them under the Constitution to petition Congress. Here is the language he uses. He says:

The meeting held in front of the Capitol was for the purpose of intimidating Congress.

And he reflected upon the people who comprised that delegation. He said they appeared to have been foreign born. Has the time come when you are going to discriminate against a man because his forebears were born on the other side of the ocean? Are you going to pass one law for the native-born citizen and another for the naturalized citizen? In the early stages of the Great War, in the district I represent, in the great city of Baltimore, the sons of the foreign-born citizens did not wait for the draft. They enlisted at the outbreak of the war. They went into the Navy, they went into the Army, they went into the Marine Corps, and in many cases there were young boys under 18 who, for the purpose of supporting their country when it needed support, made false statements as to their ages to enable them to fight for the flag of their fathers' and mothers' adopted country. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. IGOE. I yield to the gentleman two minutes more.

Mr. COADY. And yet, Mr. Chairman and gentlemen, we find a Member of this House reflecting upon people simply because they were born in another country, good naturalized citizens, because they came here to petition Congress. Ah, I said the sons of those men went to the front and fought, and one of the gentlemen who reflected upon these men, one of the Members of this House who reflected upon these citizens who came here exercising their lawful rights, while the boys of these foreign-born citizens were fighting and dying in France—that gentleman, a Member of this House, although within the draft age, and a strong and healthy man, was safely tucked away in his office here in Washington.

I listened to some of the gentlemen from Kansas tell about the wonders that prohibition has wrought there. I remember a few years ago reading about a banquet of the Kansas Society in New York City, and it was addressed by a then member of the United States Senate, not now a member of that body. Like nearly all Kansans when called upon to speak at affairs of that kind, he chose as his topic prohibition, and told about the wonders it had accomplished in his State—how the farmers had succeeded under it. But, Mr. Chairman and gentlemen, every member of that Kansas Society had left the dry State of Kansas, had gone to the wet State of New York, and there achieved fame and fortune. [Applause.]

We have abandoned legalized control of the manufacture and sale of intoxicating drinks, and as a result there is to-day, and will continue to be, an increased consumption of liquors—or, rather, of cheap and dangerous substitutes therefor. Right here in the city of Washington, as I pointed out before, there has been a shocking increase in the number of crimes committed since the District went dry.

This enforcement measure, which bears the name of the gentleman from Minnesota and which—it is alleged and not denied—was prepared by the counsel for the Anti-Saloon League, is the most drastic and most revolutionary measure ever presented to this body, and it has been characterized as such by some of the ablest men here—men who believe in prohibition and have voted for it, but who are alarmed, and rightly so, because it contains provisions that will permit an invasion of the sacred rights of the individual in his home.

It will greatly augment the political power of the Federal Government and will deal a death blow to the rights of the States.

The attempted enforcement of this amendment by the General Government will mean the employment of several hundred thousand men. I say attempted enforcement, because I believe you can not successfully enforce a law of this kind

because of the antagonistic attitude toward it of a large part of our people.

You should leave to the several States the matter of enforcement. You submitted the amendment to the State legislatures, and they ratified it. Are we not now willing to trust the same States to enact enforcement legislation? They are best capable of dealing with the question. Are there any Members here unwilling to trust the legislature of the State they represent?

As for the war-time prohibition law, it was, in my opinion, the greatest legislative fraud ever perpetrated. There was never any sound reason for its passage. The idea of its being a food-conservation measure is pure nonsense, and we know that its Anti-Saloon League advocates had no such honest intent in demanding its passage. If they had, they would now favor its repeal. Their purpose was to anticipate the Federal amendment and make the country dry by legislative enactment, which they knew could not be done in times of peace. Every man here knows this. You did not mean to have this law continue when the reason you gave for its adoption has ceased to exist. Then let us be honest and repeal it. [Applause.]

Mr. VOLSTEAD. I yield 10 minutes to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Chairman and gentlemen of the committee, it is my purpose to give several reasons why I favor this legislation, but there is one thing which I wish to say first. I purposely refrain from being led into joining issue on, in, or by a surrejoinder or a surrebuttal, or any other such thing as the pitfalls surrounding the word "concurrent." I once got a hung jury in an important trial because I became involved, in the trial of that will case, in a 40-day fight over the question whether a wealthy old gentleman died of renal sclerosis or interstitial nephritis, and whether, therefore, he had lost his testamentary capacity, which sounds like a disease.

Dooley was right when he said to the faithful Hinnissey out on the Archie Road:

Expert testimony, Hinnissey, is all in Latin and not understood by anny man at all, naythur the judge nor the jury, naythur the lawyers nor the doctors; and so the jury considers three things: Did Mr. Luetgert luke like a man that would kill his wife? Second, did Mrs. Luetgert luke like a woman that had ought to be killed? Third, is it about time for supper?

Seriously, my colleagues, the courts of this land, Federal and State, will give due force and effect, despite all mere verbiage, to the long-established canons of legal interpretation and judicial construction which have for a thousand years decreed that if the intention of the lawmaking power can be clearly ascertained, due effect shall be given to that intention. Let us not get lost in the fog. There is no fog in the mind of the American people [applause] and every court in America knows this. The contention so seriously put forth here that because the Constitution as amended by the eighteenth amendment gives Congress and the several States concurrent power to enforce it, that because of this the amendment can be nullified by any State refraining from enforcement, this contention was absolutely confuted, concisely and consummately, by the distinguished gentleman from Virginia, Judge SAUNDERS, on this floor yesterday.

To imagine that the amendment itself contemplates this nullification seems to me to simply arrive at that "reductio ad absurdum" abhorred eternally by all the law.

Here are my reasons for favoring this bill:

First, because I know that Illinois does not want this debate to close without one Illinois voice raised in favor of this bill. [Applause.] In other words, Illinois does want to be heard by at least one voice in favor of the bill, inasmuch as the only Illinois voice thus far heard has been against the bill, the voice of a Chicago Congressman. Illinois has spoken. Illinois has made plain its choice. I know Illinois. I know it as well as any man in the State. I know it well. I take no back talk on that. And I do not admit that Chicago is wet in a fair fight. I know that only 150,000 men and women voted "anti-saloon" last April, while 406,000 voted against Chicago becoming "antisaloon" territory; but I also know that while 400,000 thus, in a way, voted wet, there was no fight, and I know that there were 825,000 registered voters—registered for that election—and so that 425,000 either voted dry or did not vote at all; and I know another thing, for I know that William Hale Thompson was elected mayor of Chicago April 5, 1915, by 147,000 majority [applause], and I know that on October 10, 1915, he ordered all the 7,700 saloons of Chicago to be closed on Sunday in order to comply with the old State law of Illinois, something no other mayor ever had the nerve to do; and everybody knows he was reelected April 1, 1919, by a rousing majority.

William Hale Thompson's opponent, George Sweitzer, said the next day in an interview in the Tribune, "The people in

Chicago seem to have approved of the administration of William Hale Thompson." One of the first things this mayor did was to discover that no saloon had a right to open on Sunday, and he enforced his order and was reelected mayor of the city of Chicago. [Applause.]

It is fair to argue that Mayor Thompson's reelection was a ratification of his Sunday-closing stand, fully as fair as it is to parade the wet vote of that same date—April 1, 1919—when the only question was whether saloon licenses should be issued from April 1 to June 30, just three months.

Second, because I know, and know well, the kind of citizens—and aliens—that this law will have to deal with in Illinois, and I know, and know well, that the only way to make such people obey this law is to enforce it with a club—perform an operation with a club—just as Uncle Sam had to operate with a club upon the skull of Prussia. In my earlier days I served six years as a prosecuting attorney; four years as a judge; four years as a United States collector of internal revenue, with 100 men under me—clerks, deputies, gaugers, and storekeepers—and later I held the pardoning power of a great State for four years as governor. I know the various kinds of men who violate the law. When I was United States collector of internal revenue, collecting \$12,000,000 a year from distillers, brewers, and wholesale and retail dealers—more than any district in America except the Peoria district—I knew good men among the distillers and brewers; I would trust some of them with my life, my fortune, and my sacred honor. I am not talking about them. I am talking about the violator. He is the man this law must reach—the man this bill must deal with—the mean, sneaky, lawless man, heeding no man's weakness and heeding no woman's tears. Why should he heed his country's Constitution or laws? He will not unless he has to. This law must have teeth, and plenty of them. You can not charm a hyena with kindness.

Third, because I know the laboring man of Illinois. I enjoy his confidence, and I know that I, yes I, represented him when I urged and passed the Illinois convict-labor law and other laws. I represented him then and I do now. Samuel Gompers does not. I know that I am representing him now as to prohibition as I stand here in my place in this House, and that Samuel Gompers does not, inasmuch as he has in recent days repeatedly and persistently given out the impression that the organized labor of America will seek, and does seek, either Bolshevism or beer—a misrepresentation of organized labor.

I have not his exact words, but I will insert them in the RECORD.

Why, Samuel Gompers once ordered that Hon. LAWRENCE Y. SHERMAN be defeated, and L. Y. SHERMAN was elected and re-elected and is United States Senator to-day. And Samuel Gompers once ordered that Hon. JOSEPH G. CANNON, of Illinois, be defeated, and when he got through beating "Uncle Joe"—well, "Uncle Joe" usually "romps home" with about 5,000 majority, but that time his majority was nearer 10,000.

This morning in the Congressional Library I took down what he said from the Chicago Tribune of November 5, 1886. That paper on that date quoted Mr. Gompers as saying:

If these men are executed, it would simply give an impetus to the so-called revolutionary movement—

Those are very familiar words, are they not? They are very nearly the same words that he is quoted as using to-day. I repeat what he says:

If these men are executed, it would simply give an impetus to the so-called revolutionary movement, which no other thing on earth can do. These men would, apart from any consideration of mercy, of humanity, be looked upon as martyrs.

Mr. Chairman, I represent 1,330,000 families in the State of Illinois, 1,330,000, but I do not go around bragging about it, and I do not pretend that I can control them all, but we have heard this same thing again and again, which I now quote further from Mr. Gompers's words:

Thousands and hundreds of thousands of laboring men all over the country would consider that those men had been executed because they were standing up for free speech and free assemblage. We ask you, sir, to interpose your great power and prevent so dire a calamity.

Mr. Chairman, of course no one accuses Mr. Gompers of favoring dynamite. The Tribune says further:

Mr. Gompers closed by saying the throwing of the bomb had destroyed the eight-hour movement.

That was a mistake. It did not destroy it. Of course, I do not charge, and neither did the Tribune, that Mr. Gompers advocated or favored the throwing of bombs. The point I make is that he, Mr. Gompers, when the red flag of anarchy was about to be buried 6 feet below the soil of Illinois, tried to inject the labor problem into a problem it did not belong to, and he made a mistake in so doing. He is making the same mistake now.

He is trying to inject the labor problem into this prohibition problem, where it does not belong. No dire calamity happened then. The eight-hour law did go through. The laboring men of America did not rebel or resort to revolution then, and they will not do it now. [Applause.]

Fourth, because I know the Illinois that has gone dry in nearly all its counties, nearly all its cities, and nearly all its townships—the Illinois which again and again returned to the legislature a dry majority, sending dry men back again and again, and sending to the general assembly convening last January a big majority to ratify the national prohibition amendment January 14, 1919—is still "dry."

Fifth, because we must show our teeth. Unless we use "force without stint," this will be a "peace without victory"; it will, after all the effort and struggle and prayers and tears of the years, be a barren victory, be a result gratifying to nobody but the Kaiser and all others wishing the failure of the American experiment in free government. What an appalling humiliation and mortification to win the World War and then lose, after all, by destroying America's youth by a law with no teeth. There must be no turning back by Congress now in deference to the alluring cry of "fairness." Fairness is unknown to the citizens and aliens who will be the violators of this law. There is not a fair bone in their bodies. They do not know what fairness means. They are strangers to fairness and leniency and mercy. Each is a tyrant when on top and a whiner when the under dog. There is not a true sportsman, a dead-game sport, in all their number.

A noted writer once said:

A true sportsman is a man who can endure success without undue elation and sustain defeat without complaint.

What a spectacle is to-day disclosed in this connection to the eye of "gods and men"! Who is it that has posed as the good sport—the dead-game sport? Why, the man in the liquor traffic. Who allured the American boy by the slogan, "Don't go to the Sunday school; don't seek the Y. M. C. A.; don't be a sissy; come to the thirst parlor; it is the rallying place of true sports—of dead-game sports"? Why, the liquor dealer. And who is whining now and complaining and lobbying and flirting with organized labor and putting forth every pitiful plea? Why, the man with liquor to sell. One firm writes me that the Government and he have been partners. That man may be an honest man. But what a partnership has always been that between Uncle Sam and booze. Ye immortal gods, what a plea; what a partnership! Would you care to know what made Springfield, Ill., go dry—remembering the partnership plea? Five years ago 29,000 Illinois troops arrived at Springfield and went into camp at the State fair grounds and Camp Lincoln on their way to the Mexican border. That morning in every paper in Springfield there appeared numerous flaming advertisements something like this:

Brave sons of Illinois,
Noble defenders of the Union,
Don't forget the Bismarck.
Remember the Annex, the Edelweiss,
Budweiser on tap.

Hundreds of glorious boys came to town to a hundred bar-rooms and got drunk and went to Texas well started on the downward road to destruction by the demon rum, and not a few of them made rotten and diseased for life. Partners, indeed! Partners of Uncle Sam, who poisoned his sons. Well, all I have got to say is when I find my partner has poisoned my son, I intend to kill my partner; he shall not poison my son and still breathe the breath of life. I will kill him if I die in the attempt.

And make no mistake. Uncle Sam is going to kill John Barleycorn and bury him deep.

Mr. VOLSTEAD. Mr. Chairman, I yield to the gentleman from Utah [Mr. WELLING].

Mr. WELLING. Mr. Chairman, I am not a lawyer. A large part of the discussion of this bill, as it relates to the constitutional power of the Congress to enact this legislation, makes me feel reconciled to my lack of legal knowledge. It has been asserted many times during the debate that Congress has not the power to enact a prohibitory statute until the constitutional amendment providing for a dry Nation goes into effect next January.

STATUS IN UTAH.

I recall that in my own State of Utah statutory prohibition preceded the adoption of an amendment to the State constitution, although such an amendment was adopted overwhelmingly as soon as the people were allowed to vote upon the matter. I think that has usually been the manner in which this question has developed in other States also. Once the people have come to feel the benefits of this great moral move-

ment of reform, they have proceeded to place the question beyond the power of shifting and uncertain action by political parties. But the guardians of the Constitution immediately cry out that the States, in this action, have only exercised their proper police power, and claim that this proposed action by the Congress is an invasion of the police power of the State.

In this connection it is interesting to note that no voice has been raised here against the police power of the States being invaded by the National Government assuming jurisdiction over the sale of other deadly drugs. There has been no protest against the National Government enforcing police regulations regarding the quarantine and public-health laws of the Nation. If the victims of the curse of alcoholism and light wines and beer could stand up and be counted they would outnumber many times those who have benefited by the enforcement of the laws designed to control drugs and otherwise conserve the public health.

I am not so much alarmed about the Constitution as I am about the souls of men. The Constitution was made for the people; and when special interests come here and use it as a cloak to defend the most infamous curse to humanity to-day it is time for men to assert the right of the people of America to make and enforce a law designed to promote the welfare of this and all succeeding generations.

ALREADY IN THE CONSTITUTION.

But, Mr. Chairman, this contention of the advocates of license seems the more indefensible to me since national prohibition is already a part of the Constitution. The eighteenth amendment was submitted to the States by the last Congress, and in less than one year 45 of the 48 States had adopted it. It is true the amendment provided for enforcement after January 1 next, but in the meantime war-time prohibition had been enacted by the Congress and is now a part of the law of the land. It must remain the law until the military forces are demobilized, and the President, under whose authority demobilization must be proclaimed, has given us to understand that that can not be effected before the first of the year and at that time the prohibition amendment becomes effective.

Therefore this situation prevails to-day: We have war-time prohibition in force now, which we know must remain in force until after the constitutional amendment becomes effective, and after that date the amendment itself imposes upon Congress the obligation of passing the necessary laws to carry it into effect.

Small regard as I have for the contention that we have not yet gained jurisdiction of this matter, it is still more difficult to have patience with the contention that wet States without enforcement laws will not be subject to the national laws we enact to-day, because the amendment states Congress and the several States "shall have concurrent power" to enforce the law. If that is true, a more infamous joker was never written into a national statute.

The opponents of this measure come here and say they were careful to see to it that the wording of the amendment left their States free to license the saloon, because they could and would successfully resist in those States the necessary "concurrent" enforcement laws. I can not believe such a contention can be maintained. Surely the authority of the Constitution extends to every State alike. It might as well be maintained that the suffrage amendment would not apply to those States which chose to resist the right of women to vote. At any rate no man will contend that violations of the prohibition amendment can not be punished in every part of the Union in the Federal courts, just as counterfeiting is now punished in those courts.

Mr. Chairman, in my opinion the owner of a saloon, who stands behind a bar and robs men of their reason by pouring a flood of liquor through an addled brain, is an infinitely greater menace to society than the man who exchanges counterfeit money for the coin of the realm.

Who steals my purse steals trash; 'tis something, nothing;
'Twas mine, 'tis his, and has been slave to thousands;
But he that filches from me my good name
Robs me of that which nothing enriches him
And makes me poor indeed.

It is interesting to note the objection raised by the gentleman from Massachusetts [Mr. FITZGERALD] and the same objection urged by the gentleman from California [Mr. LEA]. They tell us their people do not want this law. It is a singular thing that both California and Massachusetts have by large majorities in their legislatures adopted the prohibition amendment. These gentlemen assert that the legislatures did not represent the will of the people, but that they do represent their people. In this confusion of counsel, it seems to me the Congress is bound to be influenced by the official action of the States themselves and not take too seriously the protestations of their representatives upon this floor.

I can not agree to the theory that the wine and liquor industry of the country has not been given proper and deliberate notice that this legislation would be enacted. We placed them on notice when the constitutional amendment was submitted to the States, and that notice was confirmed when the States—their States included—adopted the amendment and made it an effective portion of the Constitution of our country. It comes with poor grace to-day for the wine growers of California or the wine merchants of Massachusetts to come here and ask for an extension of time in which to pour this stream of poison into the currents of our national life.

ATTITUDE OF THE CHURCH.

Gentlemen of the House, it is impossible for you to resist the onward march of this reform. The infamy of the open saloon and the curse of the liquor traffic has been denounced by the Christian churches of America for 100 years. Their voice crying in the wilderness has called upon the Nation to drive out the demons of rum.

ATTITUDE OF BUSINESS.

Prohibition is to-day a part of the industrial fabric of successful business in every line of industry and trade. The railroads have cast out the saloon. And I am glad to know that workmen as well as operators in that great industry have come to feel that success depends upon sobriety. The merchant and the banker practice prohibition in their business, and those who come to them laden with the fumes of liquor are totally discredited as employees and rejected as associates in the industries which they represent.

The athlete in training has the sense to be a prohibitionist if he wishes to conserve his physical strength. The training table of every school in the land is for the strict enforcement of prohibitory law.

The medical profession has abandoned its use of liquor, realizing that the evils of whisky many times outweigh any benefits derived from the use of the poison it contains as a stimulant or a drug.

ATTITUDE OF THE ARMY.

The Army and the Navy have put a ban upon the use of liquor by men in the service of America. These instruments of our power have come to realize that those who defend this Nation upon the sea and upon the land must be free from the curse of strong drink. No matter how willing gentlemen here are that their constituents should make and sell booze, they have joined us in demanding that our soldiers and sailors should go to battle with brains clear—the best and surest protection against the dangers of the battle field. The Army and the Navy have themselves adopted and by their example urge its adoption upon the country as a whole.

INFLUENCE OF THE HOME.

But all these agencies together have suffered less than the home from the liquor business. The American home is for this law. Every wife and mother in the land applauds the action this House is now about to take. Every child in the home is glad to have the fear of this peril lifted from his life. And, gentlemen, the American home is the greatest bulwark of American liberty to-day. If you would preserve your country and hand down a heritage worthy of our destiny to future generations, we must keep secure and sacred the stream from which is pouring the future citizenship of our country.

I am for this bill, and when it is discussed under the rule providing for amendment I trust such changes as are made will tend to make the legislation more effective by making the enforcement provisions more drastic than the present bill provides. [Applause.]

Mr. IGOE. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. HUSTED], a member of the committee.

Mr. HUSTED. Mr. Chairman and gentlemen of the committee, I want to thank the gentleman from Missouri [Mr. IGOE] for granting me time on this bill. It has been quite difficult for me to secure any time, although I happen to be a member of the committee. I asked the chairman of the committee to grant me 20 minutes, and I made a clear and full statement of my position on the bill. He said he would give it to me, but the next day he said he had changed his mind, and he said to me, "You are wet, and you can not fool anybody." I have no desire to fool the chairman of this committee or to fool any Member of this House. If to be opposed to what I consider to be some of the unwise and radical provisions of this bill is to be wet, then I am as wet as the waves of the sea, but if to be in favor of an honest, conscientious enforcement of the provisions of the eighteenth amendment is to be dry, then I am as dry as the sands of the desert.

I do not intend to discuss the constitutional questions raised under this bill, except to say that in my poor opinion I believe we can go as far as we please in defining the words "intoxicating

liquor" to carry out the constitutional purpose, but I do not believe we can go any distance at all to defeat it. If we provided in the bill, for example, that only beverages containing 10 per cent or more of alcohol were intoxicating, I am sure the courts would set it aside as a barefaced attempt to defeat the constitutional purpose, but I think we can go as far as we please the other way. We could provide for one-half of 1 per cent, one-tenth of 1 per cent, or we could eliminate all alcohol if we deemed it necessary to effectuate the constitutional purpose, and I am satisfied the courts would not inquire into that necessity.

The question of concurrent power raises a more difficult question. I think the word "concurrent" was very poorly chosen, but I am satisfied that the courts would hold that the word "concurrent" as used in the text of the constitutional amendment means that the Federal Government and each State has complete and separate power to enforce this provision.

I desire to discuss this question from a practical standpoint. The bill comes before us under three titles. The first is a code to enforce the war-prohibition act. As long as that war-prohibition act remains on the statute books unrepealed I am in favor of enforcing it, and I am very sorry that we have gone 15 days without any enforcement legislation. I was one of the members of the committee who voted to separate this bill, and to bring in a war-prohibition enforcement measure, so that the condition of chaos might not exist which does now exist in the country. I am also of the opinion that the war-prohibition act should be repealed. I feel that we have no right to project into times of peace the operation of a measure which was brought into existence solely through the exercise of the war power and for war purposes only. I feel it can be justified only upon the theory that the end justifies the means, and that is pretty shaky ground to stand on, even when dealing with the great question of temperance. I think it should be repealed also for this reason: It is unjust to the men in the liquor business.

This House wrote into the constitutional amendment the one-year limitation for the purpose of affording to the men in the liquor business a period for adjustment and settlement of their affairs. That limitation was in there when the joint resolution passed Congress. It was in there when it was ratified by the States, and it is just as much a part of the constitutional amendment as any other part. It should be enforced just as honestly as any other part of the constitutional amendment, when it is safe to enforce it, and the President of the United States has said that it is safe to enforce it now.

With respect to the second title, which is a code to enforce the constitutional provision, I want to say that I was absent in France when the joint resolution was adopted in this House.

During my absence I was paired as being in favor of it without instruction from me, however, or knowledge of my attitude. If I had been here I would probably have voted to submit the question to the people, although I have very strong convictions that it is a question which should be left to the individual States under our theory of government. But the constitutional amendment is a part of the Constitution of the United States, and, as I said before, it should be honestly and conscientiously carried out. I do not feel, however, that we are duty bound to go beyond the constitutional amendment, and I think this bill does go way beyond it. The bill provides that beverages containing one-half of 1 per cent are intoxicating liquors. Now, everybody knows that they are not intoxicating liquors, and that liquors containing a considerably greater percentage of alcohol would not be intoxicating liquors. I do not know where the truth lies. It perhaps lies somewhere between 1½ and 3½ per cent. In the New York case, in which Senator Elihu Root and William D. Guthrie were counsel, contention was made that 2.75 per cent beer by weight was not an intoxicating liquor, and was absolutely incapable of producing the alcoholic habit in anybody.

The contention in that case was strongly supported by the testimony of eminent scientific experts, and also by the testimony of practical men who had wide experience in dealing with alcoholic patients. I will not say that that contention is correct. I will not claim that 2½ per cent beer is not intoxicating, but for the purposes of my argument I am going to assume that it is not intoxicating, and that it is incapable of causing the alcohol habit in anybody. If this assumption is correct, then there are numerous and substantial reasons why its manufacture and sale should be permitted. First, for the preservation of property interests. You can not maintain the wine business of California and New York on grape juice and denatured wine. To the average palate they are not agreeable. The amount consumed is not sufficient. The same is true of the great brewery properties in which an investment of millions of dollars has been made. They could not

be maintained upon near beer because it is not agreeable to the palates of enough people. A good cup of tea is a social drink, but I defy anybody to cheer up on a glass of near beer, a glass of grape juice, or a glass of denatured wine. Most people do not like it. If you have got to depend upon that demand, the wine business will go out of existence. The breweries will go out of existence. My second reason is for the purposes of taxation and revenue. If you allow absolutely nonintoxicating wines and beer to be sold which can not produce the alcohol habit in anybody, you can dispose of the product and you can gain a lot of revenue for the Treasury, which is not to be despised under present conditions. The third reason is to satisfy the demands of a large, perfectly sober, and respectable element of the community who want light wine or beer with a small alcohol content. This demand should not be disregarded if it can be safely met. The fourth reason is in the interest of true temperance itself. Absolute bone-dry prohibition has never been secured anywhere in the world, and in my opinion it never can be. Alcohol is one of the commonest products of nature, and it is too easily separated. You can pass all the acts you want, but you will never stop a man from squeezing apples if he wants to, and you will never stop nature from working the process of fermentation in the barrel. The average American citizen wants to obey the law, and he will obey the law if you do not make it too oppressive, if you do not invade what he considers his natural rights. He does consider it an invasion of his natural rights to prohibit him from drinking any kind of nonintoxicating beverage that is incapable of producing the liquor habit. We do not want to encourage, if we can help it, the practice of law evasion which notoriously exists in the so-called dry States.

Now, on the other hand, let us assume that 2½ per cent beer is intoxicating. It is certainly only mildly intoxicating. You have gotten rid of the brandy, you have gotten rid of the whisky, you have gotten rid of the rum and the gin, the strong wines and strong beers, and you have nothing left but a very mild wine or beer. Now, Congress is going to remain in existence, and we can legislate on this subject at any time. We can observe the result of permitting the sale of these light wines and beers. If it does any harm, if any bad results whatever should flow from its use, we could reduce the alcoholic content or we could absolutely eliminate it if necessary to carry out the provisions of the eighteenth amendment. And there is another reason why we should go slowly. This is a general bill. It applies to all the States throughout the Union; to many States that have never had prohibition. We should pass a bill which is generally satisfactory to the people of all the States. I think it is a good deal better to be a little liberal at the start, and then tighten up as circumstances require than it is to start in and cut everything off right behind the ears. Such a course is bound to produce a reaction that will make this whole liquor question an issue in every congressional campaign until a reasonable settlement is effected. The liquor question can be settled now under the provisions of the eighteenth amendment, but it will never be settled under the terms of this legislation. The bill is not practical, enforceable, or satisfactory to the people of the country and would create a condition of law evasion and violation which is highly undesirable and wholly unnecessary. I desire now to call your attention to some of the radical provisions of this bill, which, in my opinion, would not be necessary if you do not attempt to get absolutely bone-dry prohibition. It would not be necessary if you permit the sale of a nonintoxicating wine or beer which could not create the alcohol habit in anybody. I call your attention to section 4, page 10, of the bill. The astonishing limitations of that section are not as bad as they were when the bill first came before the committee. It then provided that every one of these exempted articles could not be used unless it was nonpotable and incapable of being used for beverage purposes. After they talked the matter over with the representatives of the various interests affected, and after they talked it over with the representatives of the departments of this Government, the committee made up their mind that if that language was retained none of those products could be used, and so they amended it by providing in some cases that they could be used unless they were "unfit" for use as a beverage, and they cut out the limitations about vinegar, although one member of the committee suggested that a very insidious drink had been made out of vinegar called, I believe, vinegar shrub.

Now, I want to call your attention to the fact that these limitations are in here solely for the purpose of preventing people from getting intoxicated on denatured rum, on medical preparations, unpatented and patented, and proprietary medicines, on toilet articles and antiseptic preparations, on flavoring extracts and on vinegar. I want to assure you in the so-called wet States these beverages have never become popular. Bay rum and

vinegar and lemon extract have never become popular drinks in the State of New York, but I understand they are popular drinks in all the so-called bone-dry States. And this legislation would not be necessary and the people would not resort to these injurious substitutes if you permitted the sale of a mild beer or a mild wine that is nonintoxicating and incapable of producing the alcoholic habit in anybody. The fact that you go to such extremes is clear proof that there is something radically wrong with the law.

Mr. VOLSTEAD. Will the gentleman yield?

Mr. HUSTED. Certainly.

Mr. VOLSTEAD. Do you mean to say that in your State, for instance, they can make those things without any regulation at all?

Mr. HUSTED. I do not say they would make them without any regulation. But I say this, that no regulation to prevent their use as intoxicating beverages would be necessary in the State of New York.

Mr. VOLSTEAD. But you have the regulation, just the same.

Mr. HUSTED. No regulations in that regard.

Mr. VOLSTEAD. You have regulations in reference to it.

Mr. HUSTED. No regulations to prevent their use as intoxicating liquors.

Mr. VOLSTEAD. Oh, yes; you have.

Mr. HUSTED. Well, I am not aware of them if there are any such regulations. I would be glad to have them called to my attention.

I want to direct your attention now to sections 6 and 7, pages 12 and 13. These sections provide that no man can get a drink of whisky for medical purposes unless it is prescribed by a physician in active practice, and he can not get it then except from a pharmacist who has been duly licensed and on blanks which have been furnished by the Commissioner of Internal Revenue. Now, I have no objection to that, so far as it goes, but I want to point out this fact to you, that in a mining camp or in a lumber camp or in an exploration expedition or in the case of a party camping in the wilderness if an epidemic of pneumonia or of influenza broke out they could not get a drink of whisky as medicine unless they had with them a physician in active practice and unless they also had with them a duly licensed pharmacist.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. HUSTED. Yes.

Mr. SUMMERS of Washington. Does not the gentleman know that the National Pharmacopœia, which is the official list of recognized drugs and medicines of value in the treatment of disease, does not include brandy, whisky, wine, or beer?

Mr. HUSTED. Well, I was not aware of it.

Mr. SUMMERS of Washington. It is a fact.

Mr. HUSTED. But I do know this, that one of the most distinguished physicians died three days ago in the city of New York, Dr. Abraham Jacobi, and I know he said that he would not assume the responsibility of treating a pneumonia case unless he had good old whisky at his disposal.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. HUSTED. Certainly.

Mr. KAHN. Is not the gentleman aware that the Secretary of the Navy accepted from the mayor of Seattle 6,500 quarts of whisky for medicinal purposes, to be used in the Navy?

Mr. HUSTED. I did not know that, but I understood a great deal was actually used.

I am going to pass over a number of sections whose provisions should be amended in order to make the bill practical, because I know my time is drawing to a close.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HUSTED. Mr. Chairman, I ask unanimous consent to extend and revise my remarks. [Applause.]

The CHAIRMAN. The gentleman from New York asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. VOLSTEAD. Mr. Chairman, I yield five minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Chairman and Members of the Sixty-sixth Congress, there are a great many Members of the House who desire to make speeches on one side or the other of this very important measure, and the time of each speaker is necessarily short. I regret that my time is limited, as I should like to speak on this question more at length. I feel myself fortunate, however, in having an opportunity to answer some of the objections advanced against the bill and to offer some reasons which seem sound to me in favor of the passage of this bill. It is claimed by the "wets" that (1) the laboring men of our country are opposed to prohibition; (2) our soldiers in the recent World War are "wet" and are opposed to prohibition; (3)

the proposed law is unconstitutional; Congress does not have the power to provide the means for the enforcement under the war-time prohibition act and under the eighteenth amendment to the Constitution; (4) light wines and beer are harmless; (5) it is urged by some Democrats that President Wilson will veto this bill if it is passed by Congress; (6) prohibition increases crime.

I desire to take up these propositions in the order in which they are stated and discuss them briefly.

The "wets" are making their last stand in the great fight against prohibition. The purpose of this bill is to make America dry in fact as well as in name, so far as the manufacture and sale of intoxicating liquors are concerned as a beverage, and to furnish effective means for carrying out the war-time prohibition acts and the action of the States in ratifying and approving the eighteenth amendment to the Federal Constitution.

Soon after Congress had passed the war-time prohibition act the German brewers of the country began to organize for their final fight. They knew the great influence and power of organized labor and the National Army in the World War, and it is not strange that the German brewers made a desperate effort to hook their beer wagon to the laboring man and soldiers of the country. If they could secure the backing of these two mighty forces, it would mean much to the success of their cause, and acting under this plan it was the German brewers who invented the slogan "No beer, no work" for the laboring men of the country. They got the laboring men in a certain town in New Jersey, largely made up of foreigners, to in a way adopt this slogan and the brewers filled the newspapers of the country with the threat that unless the laboring men got their beer that there would be a Nation-wide strike and every form of business would be paralyzed. As we all know, the 14th of June of each year is Flag Day throughout the Nation. The Hun brewers began to organize that part of union labor that is largely engaged in the liquor business to meet in Washington on Flag Day to make the so-called protest to Congress against prohibition. It was stated far and wide in the "wet" papers that there would be about 250,000 laboring men march to the city of Washington and join in this protest. So, in accordance with the plan of the German brewers, on the 14th of June, or Flag Day, a number of laboring men met on the Capitol steps here to protest, as they claim, against the passage of this bill. It was claimed in the "wet" papers that there were 50,000 men in the line of march and in this protest meeting. This is not true. I saw the persons in the march, and I do not believe that there were more than 5,000, if there were that many. These came principally from the near-by notoriously "wet" city of Baltimore, from New York, and other "wet" cities.

Mr. E. W. Oyster, one of the leading labor men of Washington, stated before the Judiciary Committee of the Senate that there were only about 4,800 persons in the parade, and that the union-labor men of the District of Columbia did not participate. Mr. Oyster also stated that those who have adopted the slogan, "No beer, no work," are working in the interest of the German brewers; that the so-called protest is all a part of the Hun propaganda. He also states that it is a gross mistake to say that organized labor was unanimously opposed to prohibition. Members of the trades-union are divided upon this question, just as other persons are. At this so-called protest meeting the slogan, "No beer, no work," was very much in evidence. Gentlemen of the Congress, I desire here now to resent the insult offered to American workmen wherein it is claimed that if they do not get their beer that they will not work. This is not an American doctrine; it is not the sentiment of the American workmen. We find the protest to prohibition most pronounced in the cities of New York, Chicago, Baltimore, and so forth, where there is a large foreign population, and these foreign laborers, most of them, are opposed to prohibition, and the German brewers have organized them in a way to help them fight prohibition. In rural communities and in the central, southern, and western parts of our country, with the population made up almost entirely of Americans, the sentiment is overwhelmingly in favor of prohibition. The eleventh district of Kentucky, which I have the very great honor to represent, is made up largely of laboring men and working people. There are thousands of union miners and union railroad men. I am proud to say that I represent a district where there could not be found a laboring man who indorses the doctrine of "no beer, no work." The man who really believes that and acts upon it places his liquor above his wife, his children, his home, his church, and his country.

The man who would refuse to work, to feed and clothe his family, provide for his home, support his church, and back his country in her great struggle in reconstruction because he can not get his beer is a poor excuse, indeed, of a citizen, and he is a man who would have but very little influence in any com-

munity. It would matter little with his neighbors what he thought or what his opinion might be on any question. It is true that we have men in my district who like to take a glass of beer or a drink of whisky, but I thank God that no laboring man in my district places his beer above and beyond his wife, his children, his home, his church, and country. I doubt if there is one man out of ten of the laboring men of my district that would vote wet if he had an opportunity. It is the laboring men of my district that helped to vote liquor out years ago. They are just as clean, pure in their lives, and as devoted to their children, their wives, their homes, and just as loyal to their country, and as much opposed to anything that breeds crime or endangers the home, the church, or the Nation, as are the farmers, the business or professional men of my district, and I resent most vigorously the insinuation or the charge that the laboring men must have their liquor or that they will refuse to work or will become Bolsheviks and overturn this Government. The trouble is that these fellows who are crying "No beer, no work," in the main are foreigners and are not in sympathy with this country or its ideals, and we can not legislate to satisfy them and thereby ignore the wishes of the great body of Americans. [Applause.]

At this same so-called protest meeting on the Capitol steps Mrs. E. Rooney, of Baltimore, led a bunch of feminine wets. She jumped on the speaker's table and shouted, "I have organized the ladies auxiliary of the Personal Liberty League, and we are going to get liberty or going to hell," meaning, of course, that she and her associates were willing to go to hell to get their liquor. No one who heard that statement but felt with a great sense of shame that any part of the womanhood of this country should be prostituted to such an unholy cause and would make such an outrageous declaration. The conduct of this woman is enough to cause every true mother and sister of our great country to hang their heads in shame. It is needless to say that Mrs. Rooney's remarks stiffened the backbone of every Member of Congress who is opposed to the liquor traffic in this country. No one could have made me believe that there could be found in our country a woman who would make a public declaration like this.

I can truthfully say that we have no woman in the eleventh congressional district of Kentucky who would publicly or privately make the statement that she would have her liquor if she had to go to hell to get it. Indeed, no such woman could be found in the great Commonwealth of Kentucky. The German brewers, who were much in evidence in this meeting when Mrs. Rooney made her statement, and when other speakers declared "No beer, no work," cheered loudly and lustily.

All of us who love the children of America, who believe in the sanctity of our homes, who believe in the great mission of the school and church, and the destiny of this Republic, rejoice that these are not the sentiments of the vast majority of the laboring men and the womanhood of America. [Applause.]

It is believed by most of us that many people go to hell by getting too much liquor, but this is the first time that any public speaker has declared that he would go to hell to get liquor.

I have had hundreds of requests from my district to support this bill, but no man, woman, child, society, association, business, social or political, has asked me to vote against this bill. This makes me feel very proud of my district.

The claim that the American soldier is opposed to prohibition and is lined up with the German brewers in this fight is unfounded, and is an insult to the boys who won the world war. It is admitted by the world that we sent to the camps and to the battle fields in Europe the cleanest and finest army that marched under any flag. We took them from the farm, the railroad, the shop, the mine, the store, the bank, the school, and the church. During the short recess of Congress I had an opportunity to visit a number of the counties of my district, and I talked to hundreds of laboring men and soldiers. These same laboring men and soldiers helped to vote liquor out of every county, town, and village in the eleventh congressional district of Kentucky. In some counties and towns they voted liquor out 40 years ago. The only change that I found in their views was that they are now more unanimously opposed to the liquor traffic than at the time they voted it out, and are more determined to make our country dry, and to make effective the act of Congress and the States in the passage and ratification of the eighteenth amendment. The soldier boys have come back, and have taken their places on the farm, on the railroad, in the shops, the store, the bank, the school, the mines, and the churches. They were the leaders in the best thought and the highest ideals before they entered the Army.

If anything, they have come back to us stronger, cleaner, better, and more thoughtful. They will continue to lead in all that is best in American business and in American political and social life. If war has made drunkards out of our soldier boys, as some of the opponents to this bill would indicate, we have paid dearly, indeed, for our part in the world struggle. The American soldier gave too much for his country to now join hands with the German brewers to help keep alive a business to destroy their own children, to help pull down the churches and schools of our country. The soldier will never do it, and I desire to emphasize my resentment of the slander of the American soldier by the brewing interests in claiming that the American soldier is opposed to prohibition and wants liquor. [Applause.] It is claimed by the opponents of this bill that the courts will declare it to be unconstitutional; that Congress has not the power to define what are intoxicating liquors. In the uniform enforcement of this proposed law, it is very essential for Congress to define what are intoxicating beverages. Some contend that alcoholic liquors are those liquors that contain a sufficient quantity of alcohol to intoxicate a person if he drinks a reasonable amount of it. Others claim that any beverage is an alcoholic liquor that contains alcohol. The latter definition is the better. Some claim that it requires 4 per cent alcohol to make an alcoholic beverage, while others claim 3 per cent, and so on down. As to the effect it has on certain individuals, that is not a safe guide or comprehensive definition. Some men can drink a quart of whisky and still keep on their feet and show very little sign of intoxication, while some others would be thrown on their heads if they took a fourth of a gill of whisky. Some men can fill themselves up with beer and show no signs of intoxication, while a single glass will intoxicate others.

A beverage containing 4 per cent alcohol or 2.75 per cent alcohol would not intoxicate some men, yet others may become beastly drunk on such a beverage. In the trial for the violation of this proposed law some courts would take one view, another court would take another view, as they have in the past. Some witnesses would testify that a certain beverage would intoxicate, and many others would testify that it would not intoxicate, as we have seen it done in many cases in our practice as lawyers. This has brought about endless confusion, and under national prohibition this confusion would be greatly increased. We can therefore see the very great wisdom in Congress defining what is an alcoholic beverage. Those who are in favor of prohibition and have brought out this bill favor a one-half of 1 per cent, while the wets want us to declare that no beverage or liquor that contains not more than 2½ per cent alcohol is not an intoxicating beverage or liquor.

I strongly favor the terms of this bill, which defines an intoxicating beverage or liquor as any beverage or liquor that contains more than one-half of 1 per cent. It is the universal opinion that one-half of 1 per cent will not intoxicate, while the general consensus of opinion is that 2½ per cent will intoxicate practically every person who is not accustomed to drinking and many persons who are accustomed to drinking intoxicating liquors.

Many of the States that have heretofore adopted prohibition have by the acts of their legislature declared that any beverage containing more than one-half of 1 per cent is an intoxicating liquor. These laws have been upheld by the highest courts in said States. If the States have the power and right to define what is an intoxicating beverage or liquor Congress undoubtedly has this right. The Federal courts have upheld the action of these States and many of the Federal courts have already upheld the war-time prohibition act of Congress. There can be no doubt but that Congress has the power to define what is an intoxicating beverage or liquor. With this provision in the law national prohibition will become a reality. Without this provision it would be more or less a farce. Congress has heretofore voted in favor of prohibition; 45 of the 48 States have already ratified the eighteenth amendment to the Federal Constitution—the prohibition amendment. We should adopt the provisions of this bill in defining intoxicating beverages and liquors and thereby make the action heretofore taken by Congress and the approval by the States effective.

Some of the wets have stated, on the floor of the House that this proposed law would prevent farmers and housewives from making ciders and grape juice. I do not take this view of it. This would be true if they should make alcoholic liquors. If cider and grape juice are fermented, they will, of course, make alcoholic liquors. This law will prevent that. A great deal of alcoholic liquor comes from the fermentation process of grapes, apples, and other fruits. If we should fail to provide against the making of alcoholic liquors with these fruits, the prohibition law would be a farce.

The opponents of this measure have made a strong appeal to save beer and wine. They say that they are opposed to the manufacture of distilled liquors, such as whisky, rum, and so forth. I imagine that most of them are recent converts. Many of them, a few years ago, were arguing for all kinds of alcoholic liquors.

We read from Holy Writ that it was wine that made the Jewish nation, for a time at least, a nation of drunkards, and was one of the great factors in the downfall of that nation. It was beer and wine, we are told in history, that were more responsible than any other cause for the fall of the mighty Roman Empire. And it was wine that had more to do than any other one thing with the overthrow of the powerful Grecian nation. It was fermented liquors, such as wine and beer, that filled the early nations with drunkards and destroyed the moral fiber of said nations and brought about their downfall. Distilled liquors, such as whisky, rum, and so forth, were unknown. Now the wets undertake to tell us that wine and beer are harmless and want us to adopt as a national beverage that which destroyed the early nations. We do not have to depend, however, upon the Jewish, Grecian, or Roman nations for testimony as to the evil effects of beer and wine. Germany has been a beer-soaked country for more than 50 years. Many careful writers have pointed out that the brutality of German soldiers was largely due to this condition, and that Germany lost her soul in her beer vats and mugs. When we talk with our soldier boys, we learn much as to the evil effects of wine drinking on the French Nation. We have seen the evil effects of beer and wine drinking in our own country. The greatest doctors and scientists of this country tell us that beer is more harmful to the health than whisky. A constant beer drinker can not resist disease.

Again, if we should keep beer and wine, we must keep the saloon. The 2½ per cent beverages would keep alive the saloons and groceries of the country. The American people are determined to get rid of the saloon. If we keep beer and wine, or 2½ per cent alcoholic beverages, we continue to cultivate the appetite for intoxicating liquors. It is not my purpose so much to correct the habits of men advanced in years. Perhaps this can not be done. But I want to protect the new crop of Americans that are coming on. We want to save the future generations from the curse of drunkenness and a drunkard's hell.

If we keep beer and wine, or a 2½ per cent alcoholic beverage, we shall continue to have drunkenness in America. America wants to do away with drunkenness. The States have said by their ratification of the prohibition amendment that they want Congress to go ahead and give us a dry Nation. Let us not disappoint the hopes of the people of the 45 great States. Of course there are people in the country that are opposed to prohibition. There never was any important question before the American people in which they were all of one mind. Many people opposed our separation from England; many opposed the emancipation of the colored man; and many opposed the war with Germany. We do know that a substantial majority of the American people want prohibition, and it is up to us to make effective the wish and will of this substantial majority.

The charge has been made on the floor of this House, to my very great surprise, that prohibition fosters crime. I have before me the signed statements of the governors of every State that has adopted prohibition, the mayors of every city that is under prohibition, and the leading men of these prohibition States and cities, and they with one accord declare that there has been a tremendous decrease in crime since prohibition became effective in their respective States, cities, and so forth.

The chief of detectives of the great city of Chicago says that crime has been decreased there by half. To the same effect is the statement of the officials of the city of Milwaukee. We who live in prohibition sections know that prohibition does not increase crime, but, on the contrary, it practically eliminates crime. As a lawyer, I have been on one side or the other in more than threescore homicide trials in my State; and all of these killings, except about two, were traceable to intoxicating liquor. And when we have a dry Nation homicide will be practically unknown.

Prohibition will not hurt business. It takes about \$10,000 invested in the liquor business to furnish one man employment. This sum invested in other industries furnishes six men employment. With liquor out of the way, we will have better schools, better churches—better clothed, better housed, and better fed wives and children—for hundreds of thousands of women and children in this country.

Intoxicating liquors have every year been destroying more men than we lost altogether in the great World War. If I had 24 sons, I would much rather that 23 of them should fall in the

front-line trenches upholding the flag of our country than that one of them should fall in the front-line trenches of booze.

If those who favor wets could show me where liquor ever built a real home, a school, a church, a man, or woman, I might be inclined to give it more consideration. We can point to millions of men and women, thousands of homes, churches, and schools that it has pulled down and destroyed. There is nothing constructive about the saloon or liquor. One word defines it all—destruction.

It has been intimated by some of the wet Democrats that President Wilson would veto this bill. I think it would be unfortunate for the country if he should take this action; and, if he does take such action, I feel confident that Congress will pass the bill over his veto. There has been no measure before Congress that I can support with more earnestness than this, and I desire to congratulate Mr. VOLSTEAD and his committee for having laid before Congress this splendid measure. [Applause.]

The CHAIRMAN (Mr. HADLEY). The time of the gentleman from Kentucky has expired.

Mr. ROBSION of Kentucky. Mr. Chairman, I ask unanimous consent to revise my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. VOLSTEAD. Mr. Chairman, I yield five minutes to the gentleman from Maine [Mr. WHITE].

The CHAIRMAN. The gentleman from Maine is recognized for five minutes.

Mr. WHITE of Maine. Mr. Chairman, I asked time in order to discuss generally the provisions of this bill, and in particular to reply to the references made yesterday afternoon by the gentleman from Massachusetts [Mr. FITZGERALD] to the State of Maine. But because of the limitation of time and because of his absence from the Chamber I have no desire to proceed now, and I therefore ask leave to revise and extend my remarks.

The CHAIRMAN. The gentleman from Maine asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. WHITE of Maine. Mr. Chairman, until to-day it had not been my purpose to say anything upon this measure. With its purpose I am in hearty accord, but there are provisions in it which I find it difficult to approve and the modification or elimination of which will make support of the bill much easier for me, but I expect to vote for it whether my views are fully met or not. The constitutional amendment gives to the Congress and the several States concurrent power to enforce its intent. If there is a technical difference between jurisdiction and power, as has been suggested in this debate, I believe the fair intendment of the Constitution is that the States and the Federal Government shall have concurrent jurisdiction and power. By our action we do not preclude any State from dealing with this subject. A State by legislation may not nullify any of the terms of this Federal statute, but it may supplement what we do here by the act of its legislature. Believing this, I should be content with less drastic legislation by Congress, for I should hope and expect each State to embody in its law such additional regulations and control, not inconsistent with congressional action, as its judgment and its public sentiment dictated.

But I have taken this opportunity to express my views on this subject primarily because I can not permit to pass unnoticed some of the references to my State made yesterday by the gentleman from Massachusetts [Mr. FITZGERALD] and which were this morning called to my attention. Among other things, he said of Maine that there "drunkenness ran riot," and again "that prohibition in Maine has been a standing joke for years, and as a consequence the growth of Maine has been less than almost any section of the country." These statements and all the inferences to be drawn therefrom I emphatically deny.

In a few of our cities at certain times conditions have existed for which I shall offer neither excuse nor justification. None can be given. But these lapses in enforcement of the law have been only at intervals and the cities mentioned do not constitute the State of Maine, nor have conditions in them fairly reflected general conditions and public sentiment throughout our State. The citizenship of Maine stands to-day for prohibition and the enforcement of law. Our first law on this subject was enacted in 1846, and was reenacted in modified form in 1851. In 1884 the prohibitory amendment, so called, was added to our State constitution, and all through the years since, despite honest doubts on the part of some of our people as to the wisdom of constitutional prohibition, notwithstanding

temporary periods of laxity in enforcement of our laws encouraged and in large degree brought about by corroding and corrupting influences from without our borders, a majority of our people have been steadfast in their faith, determined in their opposition to the liquor traffic and all that follows in its train.

The gentleman from Massachusetts alleges that he bases his statements upon observations extending over a period of 25 years. It is true that he has been much in the State and it is equally true and regrettable that, although in this length of years he has often spoken therein, his voice has never been heard in behalf of sobriety, of observance of the Sabbath, in behalf of law and constituted authority, but everywhere and always he has complained against and slandered the State and its people, and has preached the doctrine of nullification, and it has been in those periods when men holding his views were in temporary authority within limited areas that we have seen nullification of law rear its ugly head, the standards of public service, and the tone of public and private morals lowered. And every utterance of the gentleman from Massachusetts within the State has tended directly to these ends.

Let the figures which I now give and in the accuracy of which, I believe, answer the gentleman's charges and prove the inaccuracy of his observations:

Illiterates 10 years of age and over: Maine, 4.1 per cent; Massachusetts, 5.2 per cent.

Illiterate males of voting age: Maine, 5.5 per cent; Massachusetts, 6.1 per cent.

Families owning homes: Maine, 61.4 per cent; Massachusetts, 32.7 per cent.

Number paupers in almshouses per 100,000: Maine, 127.3; Massachusetts, 194.7.

Number insane in hospitals per 100,000: Maine, 169.5; Massachusetts, 344.6.

Number State prisoners per 100,000: Maine, 50.4; Massachusetts, 199.2.

Maine in 1915 ranked thirty-fourth in population among the States of the Union, but only 11 States exceeded our saving banks deposits and only 10 the number of our depositors. Maine makes no apologies for her record in these regards. It does not become a resident of Massachusetts to reflect upon her.

These are material considerations. But above all other issues raised by this and other bills of like import is one of principles, of morals. Men must align themselves with interests and a traffic which degrades, debauches, and demoralizes the individual and in the same manner affects the political unit, whether city, county, or State, or they must be affirmatively and positively against them. The gentleman from Massachusetts has made his choice, and the people of Maine have made their election. Maine came into the Union as the result of a compromise between right and wrong, but she stood then with right and with humanity, she has always so stood, and she is so allied to-day, with no thought of compromise in heart and mind.

And what contributions she has made to the thought and progress of her country! To literature she and her institutions have given a Longfellow, a Hawthorne, a Kellogg, an Abbott, and an Artemus Ward; to the law the passionate eloquence of a Prentiss, the logic of an Evans, the learning of a Greenleaf and a Fuller; and in this Hall there crowd upon my memory and I hear the voices of those sons of Maine who have played their potent part in the political life of the Nation. George Evans; William Pitt Fessenden, ranking in vision, in cogency of reasoning, and power of expression with the great leaders of his generation; Hannibal Hamlin, who, forsaking the political associates of a lifetime, took his place beside our martyred Lincoln for freedom and the preservation of the Union; our "plumed knight," James G. Blaine; Hale and Frye, for 40 years Members of this House and of the Senate of the United States; Thomas B. Reed; Nelson Dingley; Morrill; Boutelle; Milliken; Littlefield; and others have given to Maine a position in the legislative history of the country which commands the respect and admiration of all. And her unnamed sons and daughters may be found to-day throughout the great States of the central and far West, and they are there, like the men and women at home, a leavening and an uplifting influence, preaching and practicing the virtues of sobriety, of industry, of frugality and thrift, of respect for law and order, loving and striving to serve their country and their fellow men.

Mr. Chairman, what Maine has given to the country is recorded. Her fame is secure. Those of us now here may add little to it, but, Mr. Chairman, I love the State of Maine, her rocky coast, her hills, her forests, her lakes and streams, and, above all, her people, and the voice of malice and of slander can not assail them in my presence with impunity. I should

count myself disloyal to my State and my people if I did not record my indignant protest whenever untruthful and unjust assaults are made upon them.

Mr. VOLSTEAD. Mr. Chairman, I yield 20 minutes to the gentleman from Missouri [Mr. IGOE].

The CHAIRMAN. The gentleman from Minnesota yields 20 minutes to the gentleman from Missouri.

Mr. IGOE. I yield 12 minutes to the gentleman from Pennsylvania [Mr. BURKE].

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 12 minutes.

Mr. BURKE. Mr. Chairman, I am opposed to this bill because it goes to extremes and it is too drastic in effect. Drastic laws enacted against the wishes of the people create the spirit of intolerance, and intolerance breathes discontent and resentment.

The American working people have made a request upon this congressional body that light beers and wines be exempt from prohibition. They have spoken through the representatives of labor, and their request should be adhered to. The American Federation of Labor and other labor organizations in convention have gone on record against absolute prohibition. And the delegates to these conventions speak for the members they represent, comprising almost every craft of labor.

You can not silently ignore the wishes or demands of the great army of working people of our country. They do not wish the liberty of using light beers and wines to be taken from them. It has been customary for the workman, after his day's toil, to take a glass of beer in his own home. He has always had this privilege, and has considered it his personal right to eat and drink as he pleased. A glass of light beer to the men in the mines, the mills, and the shops is a godsend. It is refreshing and stimulating after a hard day's work at the furnace or the machine. And these men, through organized labor, ask you to let them enjoy this privilege and have their refreshing beverage.

It is well to bear in mind this fact, that the workmen and the sons of workmen gallantly responded to their country's call in her hour of need, and they fought on foreign soil so that liberty might live. They labored with heart and hand, with brain and muscle, in the allied cause, and many of them made the supreme sacrifice with their lives. They kept the torch of liberty burning brightly, but now they see the attempt made to snatch from them a personal liberty they ask for and which they believe and know they are entitled to.

I am not a drinking man myself and do not advocate drinking, but because this is my way and my inclination I see no good ground to force on others against their wishes and against their will my mode of living in the matter of eating and drinking.

I was very much amused the other day, however, when a Member of Congress arose to speak on this question. He was not for prohibition, and his opening remarks showed it. Two gentlemen were sitting in back of me, and as my colleague started speaking one said to the other, "He is a booze hoister!" However, the Member in talking further made the statement that he was not for prohibition, but he submitted to the majority, and the same voice said, "He is a broad-minded man!" The congressional Member would have been branded as a booze hoister because he differed in opinion on this subject with the two men sitting in the rear of me. But as soon as he gave in to what they wanted he became a broad-minded man. The two men could not see the narrowness of their viewpoint when they could not discern or give credit for an honest difference of opinion entertained by another man.

I trust this bill will not pass this body, but that an amended bill may go through exempting light beers and wines, in accord with the desires and wishes of the great majority of the working people. Let Congress not put itself in the inconsistent position of having the best American youth cross the ocean to fight for liberty and then at home on American soil deprive them of the personal privilege and liberty they request.

Mr. COOPER. Will the gentleman yield?

Mr. BURKE. No; I will not yield. I have only six minutes remaining. Now, in this connection I desire to call the attention of this body to the remarks of the gentleman from New Hampshire [Mr. BURROUGHS], printed in the Record of yesterday, as follows:

Who are the people, anyway, who are protesting against this legislation as being "drastic," "radical," and contrary to the principles of our Government? Who are the people that are writing us and sending us petitions and telegrams to vote against this bill? Would you say that the great moral forces of the Nation are arrayed against this legislation? What Member of this House has received resolutions passed by any church organization protesting against this bill? What educational or philanthropic society in America has taken a stand against it? How many wives, mothers, sisters, and sweethearts have written letters to Members of this House protesting against the passage of this bill? [Applause.] If any Member of this House has received any communication of this character, I would be glad to yield to him such time as may be necessary for him to make the fact known.

In answer to his query, "What educational or philanthropic society in America has taken a stand against it," for the benefit of the gentleman and this Congress I quote from a prominent Philadelphia newspaper which gives the attitude of the Law and Order Society of that city on the question, as follows:

WAR PROHIBITION UNFAIR, BUT LAW MUST BE OBEYED—SO SAYS GIBBONEY, CITING INSTANCES OF HOW PROHIBITION DOES NOT WORK FAIRLY—"PLENTY OF WORK AHEAD."

"With the passing of the saloon there will be plenty of work ahead for the Law and Order Society."

Thus spoke D. Clarence Gibboney, president of the Law and Order Society, in discussing the advent of war-time prohibition.

"The Law and Order Society expects to be busier than ever," he continued. "For there is every indication that the city will be full of speak-easies. We have only to take the experience of other cities, with their illicit distilleries, 'blind tigers,' and other illicit means of furnishing liquor."

"Take Maine, for instance. Although prohibition has been on the statute books there for some time, I am reliably informed by a Philadelphian who visited there with a party of friends that anybody could get all the liquor he wanted."

LIQUOR FOR "DRY" VOTES.

"A judge of one of our courts informed me that while passing the summer last year on an island in Maine he had occasion to go to town and was startled when seeing so many men on the street in an intoxicated condition. Upon asking why this was possible in a State where prohibition ruled, the judge was informed that they were holding an election again to determine whether prohibition should or should not continue, and that the liquor interests actually were giving a quart of liquor to every man who voted dry. The judge was informed that the liquor interests made more money selling liquor under prohibition rule and wanted it to continue, as they were not required to pay for licenses and other fees."

"The Law and Order Society will prosecute all violators of the liquor laws wherever complaints are made to us."

"I have no sympathy with war-time prohibition. I think it unfair. The dealers have paid the licenses and the Government tax. Yet the Government makes no provision for taking the goods off their hands. I have no sympathy for that kind of legislation, but law is law. Our society will cooperate with the authorities."

In answer to the further query of the gentleman, "What Member of this House has received resolutions passed by any church or organization protesting against this bill," I quote from a Philadelphia paper which gives the views of a prominent clergyman of that city on this question:

WORKERS' BEER DEFENDED BY REV. DR. CONWELL.

In the pulpit at the Baptist Temple for the last time before departing on his summer vacation, Dr. Conwell found inspiration for his sermon in Samuel Gompers's recent declaration that America had won a victory in the war, but had lost its liberty.

"As an American, I was startled by that announcement from the head of America's great labor organization," said Dr. Conwell, "when Mr. Gompers said 'we have won a victory but we have lost our liberty.' It would not agitate us so much if the utterance had been made by an ordinary man. But Gompers, I believe, is a man of unquestionable patriotism; of unquestionable integrity. When he makes a remark like that it means something."

"I think that Mr. Gompers's influence in America is equal to that of President Wilson in so far as America's future is concerned. The American workingmen if they wanted to combine could rule this country, and Gompers represents these workingmen."

With Gompers's strong antagonism to prohibition, Dr. Conwell expressed a radical difference of opinion. He said:

"Mr. Gompers is right, however, when he says that there is a fanatical disposition to go too far. There is a danger that the whole thing will be rescinded by our going to extremes in threatening to take away things that need not be dispensed with. The fanatics, the cranks, the men who would take away everything that is called beer, whether it is intoxicating or not, give the workingman the impression that he is being persecuted. Let us be fair, rational Americans to the laboring man. The cry that 'you have lost your liberty' is the most dangerous cry that could go out to the workingman."

"Men should be allowed to express their opinion with the utmost freedom under the American flag. I say that not merely as my own opinion, but in the belief that it is the gospel of God. The public press should be allowed the greatest freedom that is consistent with truth and fidelity to patriotism. Prewar liberty must not be succeeded by afterward oppression."

I want to say in conclusion that I fully believe if this Congress at this time meets the request of the workingmen you have settled the liquor question for years to come; if not, you will find it in every campaign until their demands have been granted. [Applause.]

Mr. IGOE. I yield 10 minutes to the gentleman from Illinois [Mr. JUUL].

The CHAIRMAN. The gentleman from Illinois is recognized for 10 minutes.

Mr. JUUL. Mr. Chairman and gentlemen of the Sixty-sixth Congress, I shall not take up your time by going into the percentage of alcohol that beer might or should contain in order that American citizens be permitted to drink it. I just want to say to you that some years ago out in the State of Illinois the legislature was busy passing a bill that declared the Desplaines River to be a navigable stream. Now, that legislature could have legislated from the 1st day of January until the last day of the session, and if there was no water in the Desplaines River it would not have been navigable, in spite of the law.

We passed a law here providing that when it was 12 o'clock meridian it should be 1 o'clock. I had occasion to look at a sun-

dial over in the State of Indiana, and the foolish sun did not know we had passed that law. The sundial indicated that it was 12 o'clock when it was 12 o'clock in spite of the law. What I wish to convey is that what is intoxicating is a question of fact, and if a drink does not intoxicate you can not make it do so by law.

But there is something in this bill which convinces me that a great many men who have spoken upon this floor have not read this bill, or if they have read it they have not analyzed it. This bill (H. R. 6810) is chiefly a bill to give effect and to enforce the eighteenth amendment to the Constitution of the United States, and to provide for the enforcement of war prohibition; and I maintain that no gentleman is transgressing the Constitution of the United States as amended by participating in the debate here, by offering amendments, and by trying to make this law a reasonable working law. I maintain that it is not alone our right but that it is our duty to do so.

Now, I take it for granted that every Member of this Congress has the desire to be fair with all men who might innocently suffer by virtue of the provisions of this act, and I am going to call your attention now to a couple of its provisions. On page 3 it is provided that—

If a person has knowledge or reason to believe that his property is occupied or used in violation of the provisions of the war-prohibition act and suffers the same to be so used, such property shall be subject to a lien for and may be sold to pay all fines and costs assessed against the occupant of such building or property for any violation of the war-prohibition act, which said lien shall attach from the time of the service of summons on the owner or his agent; and any such lien may be established and enforced by legal action instituted for that purpose in any court having jurisdiction.

The interpretation of this part of section 3 can only mean that if a person not guilty, but who is accused of having knowledge that his property is occupied or used in violation of the provisions of the war-prohibition act, then the mere starting of legal proceedings against him ties up his property and renders a sale or a transfer of the same impossible, no matter how slight the offense and no matter how many tenants there may be inhabiting such property.

With the crowded condition of the courts that might mean years and irreparable loss to one man for an offense committed by another man, and before you gentlemen leap into action on this bill it might as well be considered.

Section 4, page 4, starting in line 8, provides:

Where a temporary injunction is prayed for, the court may issue an order restraining the defendants and all other persons from removing or in any way interfering with the liquor or fixtures, or other things used in connection with such alleged illegal sale of such liquor. No bond shall be required as a condition for making any order or issuing any writ of injunction under this act.

In other words, an irresponsible accuser, who possibly does not own a dollar, can go into court and make the accusation without bond upon which action is based, and if you will look at page 4, line 23, you will find that—

If the owner appears and pays all costs of the proceedings and files a bond, with sureties to be approved by the clerk of the court in which the action is brought, in the full value of the property, conditioned that he will immediately abate said nuisance.

And so forth.

Now, here you have the situation that the possible irresponsible accuser, who may be interested in making the accusation on the ground of personal or political hostility, can go into court and secure a writ of injunction against the property owner without a bond, and that the responsible property owner who is being accused has got to file a bond.

Think of it, gentlemen. Here is a man who is disgruntled about something, and he can go in and tie up a hundred thousand dollars' worth of property by accusing some man of having something illegal going on. The accuser has not got to file any bond, but the owner has got to file a bond, and while the irresponsible man has to file no bond, he can get on the next train and leave, while the property owner has got to stay because his property is tied up.

Under the provisions of this bill, from line 2 to line 6, inclusive, on page 6—

Any person found guilty of contempt under the provisions of this section shall be punished by a fine of not less than \$500 nor more than \$1,000, or by imprisonment of not less than 30 days nor more than 12 months, or by both fine and imprisonment.

Found guilty of what? Found guilty, for instance, of having a tenant on his property who is occupying or using said property in violation of the war prohibition act.

Gentlemen, you are passing a bill tying up innocent men's property. If any of you own property and have tenants, and one of them misbehaves, your property is held for the fine that may be imposed for that man's offense, an offense of which you did not know anything and could not know anything. That is in the bill. If you do not think it is in the bill, read it, and

if you vote for it without reading it you are not giving the people of the United States the fair deal that they deserve at your hands.

What I am trying to have you see is that the provisions of the law are so drastic that they do not alone seek to reach out and punish actual offenders, but they also reach out and punish the owners of houses and lessees of rooms where an offense under this law might be committed.

By the way, the mere accusation against the owner of the property is not removed by his going in and filing a bond. There must be a final adjudication to release the property, and you know what that means in a suit in law or bill in equity in cities like the one in which I live, where cases are sometimes 20 and 24 months back on the calendar. The innocent man who has committed no offense is tied hand and foot. If a mortgage expires or a trust deed expires during that period of time, there is no bank that would loan him a dollar on the property with a bill in equity filed against it. He could not get a dollar and you know it.

Now, is that what you mean to do to men who have not offended? I suppose that by my standing here and talking to you some of you may gain the idea that I am a man who wants lots of whisky and beer and everything connected with it.

I want to say to you that I have not yet smoked my first cigar, and I do not know the cards in a deck, and I maintain that I am just as clean morally and physically as any of you. This legislation, if you pass it the way you have written it, is unjust, and every thinking man that has some regard for the other fellow will say so. You are imposing a hardship upon thousands of well-meaning citizens, as good citizens as we have in the country, who do not want it.

On page 5 of this bill you will find that the owner of property is dragged into court by an accuser who does not have to furnish a bond to obtain an injunction. You will find, I say, that such owner shall file a bond with sureties in the full value of the property. And I want to ask you Members of Congress, many of whom no doubt have read Article VIII of the United States Constitution, what is going to become of this article? I want to remind you of its language. This is what it says:

Excessive bail shall not be required nor excessive fines imposed nor cruel and unusual punishment inflicted.

Throughout this bill you have tried to steer clear of and avoid trial by jury and provide for trial by injunction. I hope I am not offending the tender sensibilities of any gentleman by quoting Article VI of the Constitution of the United States. Every now and then we seem to forget that this document is still the supreme law of the land. When I listen to the reading of this bill by the Clerk, Article VI of our Constitution becomes quaint, old-fashioned reading to me. Does it not to you? This is how it reads:

In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

I listened yesterday to the wonderful speech made by my distinguished friend from Michigan [Mr. CRAMTON]—

Mr. REBER. Mr. Chairman, will the gentleman yield?

Mr. JUUL. Yes.

Mr. REBER. The gentleman is looking intently at me all the time, and I want to say to him that I am on his side of the question. I wish he would look at the other fellows and convince them. [Laughter.]

Mr. JUUL. Then I shall have to look at the gentleman from California [Mr. RANDALL]. He will not mind. I can always talk better when I am looking at somebody.

Mr. RANDALL of California. The gentleman is making a very good speech.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. JUUL. I ask for five minutes more.

Mr. IGOE. All of the time has been allotted.

Mr. JUUL. Oh, give me three or four minutes.

Mr. IGOE. I can give the gentleman one minute.

Mr. JUUL. Oh, give me three.

Mr. IGOE. I am sorry I have not got it.

Mr. JUUL. Will somebody else do it? Will the gentleman from Minnesota give me three?

Mr. VOLSTEAD. I have not the time.

Mr. CANNON. I will yield the gentleman all of my time.

Mr. JUUL. I have appealed here to gentlemen on the other side for 10 minutes, and I could not get it. I will tell you one other thing in the one minute that I have left. On page 7, on

lines 23, 24, and 25, the Congress has absolutely delegated its powers in the following language:

The term "permit" means a formal written authorization by the commissioner setting forth specifically the things that are mentioned.

You are giving the Commissioner of Internal Revenue, I suppose it is, absolute carte blanche to go ahead and name the things that are permitted, a duty which you should perform as Members of the Sixty-sixth Congress.

I followed the speech of my distinguished friend from Michigan [Mr. CRAMTON] yesterday. He stood here and read a list of thousands and thousands of men who had voted for prohibition and lesser thousands of other men who had voted against it. Are these other thousands entitled to nothing better than you are offering them in this bill, though they be men who have no intention of committing a violation of any of the laws of the United States, men who are guilty only of having accumulated a bit of property? Are they to be hauled in on injunctions and to have their property tied up for weeks and months and to furnish bonds to defend themselves? [Applause.]

Mr. IGOE. Mr. Chairman, I yield seven minutes to the gentleman from Texas [Mr. HARDY].

Mr. HARDY of Texas. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the Record.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HARDY of Texas. Mr. Chairman, times change and men change with them. Thirty years ago in a public speech in Texas, in the discussion of the question of State prohibition, I made the prediction that the time would come when an effort would be made to secure national prohibition, and I was laughed to scorn for making that statement by the most strenuous prohibitionists in the audience. The position then taken by even ardent prohibitionists was that it was a question of local interest and concern and of State police regulation, and that no one would ever be willing to confer the powers necessary to enforce prohibition upon the Federal Government.

I have lived to see the day of the rising tide, and I am frank to say that the American people, considering the great evils of drunkenness and intemperance, have with the increasing agitation grown more and more in favor of any measure, regardless of any question of local self-government, that would enforce the total destruction of the business of manufacturing or dealing in intoxicating liquors. Let me say further that five years ago a portion of this bill would not have received the votes of 20 Members of this House as it was then constituted. The portion to which I refer is that part that proposes to pass statutory prohibition in time of peace for the whole United States, and before the eighteenth amendment to the Constitution, which alone gives Congress the power to pass prohibition laws, shall take effect. I know that the first part of this proposed bill does not profess to pass a statutory prohibition law in time of peace, but it seeks to evade the question of lack of power by professing to amend a law that was passed in time of war. If the amendment is an essential part it is a new law, and if the definition of intoxicating liquor contained in this bill amends the war-time prohibition law so as to give it a different effect, then we may just as well institute and pass a new law at this time in time of peace to enforce prohibition over the whole United States.

From my childhood up I have felt that that was a question with which the Federal Government, except as a war measure, had nothing to do, and every Member of this House believes that I was right in that conviction. What, then, are we to say when we come to this bill, with its new definition, its new and additional penalties in a time of actual peace, as to whether the war is ended or not technically?

This bill, professing to amend the war-time prohibition act, has for its object other purposes than those named in the war-time prohibition act, for they were purposes only of maintaining our Army—what are we to say when we come to this bill, which, in effect, imposes statutory prohibition by the Federal Government in time of peace? I say that, so far as the first title of this bill is concerned, it is statutory prohibition proposed in time of peace, and I do not believe a Member of this House thinks that it comes within the purview of the powers granted in the Constitution or that it is not included in the powers reserved by the Constitution to the States.

Having said that much, I am satisfied to state that with my belief in respect to the powers granted in the Constitution to the Federal Government and the powers reserved to the States I shall be compelled to vote against this bill as long as Title I is as it is; and while I would represent my people, and would bow to their behest and propose to do it, I could not vote for

an unconstitutional measure, such as Title I of this bill is, if every man, woman, and child in my district urged me to do it, because with my conviction, with my belief that it is violative of the grants of the Constitution and violative of those powers which by the Constitution were reserved to the States, if I voted for it I would vote for it in violation of my oath of office and my obligation to support the Constitution.

I want to say a little something about the constitutional amendment. I really take no stock in the question or discussion of what "concurrent" is. My judgment is that it was put in that form for this reason: If it had not been placed in that form I am inclined to think it could have been successfully contended that by that constitutional amendment all of the powers of the States to deal with the liquor problem had been taken away and conferred upon the United States alone. I think that the prohibition advocates of the amendment were in favor of using that word lest they destroy the powers of the State entirely. In my judgment both the States and Federal Government have the power now to adopt prohibitory legislation, but even the States must adopt laws that conform to the constitutional amendment. Otherwise their laws may perhaps be held unconstitutional and in contravention of the eighteenth amendment. The question of the definition of alcoholic or intoxicating liquor does not trouble me, and for this reason: If this definition be without authority it will have no effect, and the courts will construe it as being null and void and will say that it is a question of fact in the trial of each case when a party is charged with violating the law as to whether the drink was intoxicating liquor. I am inclined to think that the courts will so hold. I am inclined to think that the legislatures can not define a term used in the Constitution so as to alter the real meaning of the term; but that makes no difference. Therefore, the questions with reference to concurrency of jurisdiction or with reference to the quantitative percentage would not have anything to do with my vote. I am free to say that there are terms in Titles II and III that seem to be unduly hard, perhaps violative of every principle I have ever loved of personal liberty. I do not know about that, but I am free to say that I can not vote for this measure so long as it contains a feature which would make me in my belief guilty of violation of my oath of office if I voted for it. Let me say now that when the eighteenth amendment becomes a part of the Constitution I shall feel bound on my oath of office to vote for any law that may be required to honestly, faithfully, and fully enforce it. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. IGOE. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. LaGuardia].

Mr. LaGuardia. Mr. Chairman, several reasons have been given for making this bill so drastic. I believe that if the distinguished gentleman from Minnesota or the committee had themselves drawn the bill they would not have made it so drastic. It has been charged on the floor of this House that neither that gentleman nor any member of the committee had anything to do with the drawing of the bill. That has not been denied, so we may accept the charge as true.

Mr. VOLSTEAD. Will the gentleman yield?

Mr. LaGuardia. Certainly.

Mr. VOLSTEAD. Just for a brief statement.

Mr. LaGuardia. Not for a statement; for a question.

Mr. VOLSTEAD. I just wanted to explain—

Mr. LaGuardia. The gentleman can explain in his own time; I have only 10 minutes.

Mr. VOLSTEAD. All right; go on.

Mr. LaGuardia. I notice that the gentleman is not very generous in extending time to opponents of his measure. I noticed that the gentleman at the time when I was making a very important statement the other day would not even give me 10 minutes in which to finish. I do not know whether that is because Carranza is an ally of the Anti-Saloon League, but I know the chairman would not give me time. [Applause.]

Mr. Chairman, I believe that this bill was purposely so drawn because it is not the intention of the organizations guiding our committee to have this law properly enforced. With the exception of the Woman's Christian Temperance Union, whose sincerity I do not doubt, all the rest of the organizations do not desire to go out of existence now. They have too much of a good thing, and want it to last as long as possible.

There is not a supporter of this bill who has satisfactorily explained how they are going to deal with moonshine whisky. Why, they seem to gloat over the fact that whisky will be clandestinely manufactured and be sold. They seem to rejoice that cities will come down to their dry districts and buy it. It has not been denied that when we have nation-wide pro-

hibition that people will resort to drinking strong liquor, whisky, flavoring extracts, when they can not obtain light wines and beers.

Mr. JUUL. And kerosene.

Mr. LaGuardia. And they seem to be proud of the fact. A great deal has been said about the foreign element. Now, let me tell you that the foreign element in this country are not consumers of whiskies and liquors. Some of them drink light wines and beers, but the greater majority of our working foreign element in this country have all they can do to buy proper clothing, shoes, and food for their families. They have nothing left with which to buy booze and strong drink. [Applause.]

Of course I am not able to say how much alcohol it takes to get one intoxicated, or the terrible results of the excessive use of that article. I have not had any of that in my family, or anybody with whom I associate, so I do not know. I know that in my district of about 250,000 inhabitants, right in the heart of New York City, you do not see any excess drinking from all of this so-called foreign element. In my humble judgment it is dangerous to establish a precedent in construing a statute to the extent that is attempted in this bill. If we start in construing a law, as we do here, why, when the tariff bill will be before us we will have to construe the difference between a sardine and anchovy and every article on the tariff. Gentlemen say that the majority of the people of this country are in favor of this bill, and yet a careful reading of this bill will show that they are not ready to trust a jury composed of the average American citizen to pass upon matters of fact.

Everywhere possible an equity action is provided. Temporary injunction without the necessity of giving a bond can be obtained. A man owns a hotel on this side of the street controlled by a drug store or the coca-cola crowd can go and enjoin a man on the other side of the street on his mere say so, shut up his opponents business for weeks at a time, perhaps right in the season, and afterwards on final hearing, if it is found that there was insufficient facts to sustain the injunction, the writ is dismissed and in the meantime the man's business is ruined. There is no redress, as this law specifically does away with the requirement of a bond. All through this bill we get away from a trial by jury. Equity courts are here called on to try matters of a criminal nature and to mete out punishment. I ask the distinguished chairman why is it that he does not resort to the usual and customary procedure in criminal action, an indictment by a grand jury and trial by a petit jury. Is even the right of trial by jury to be taken away? And still the gentleman says in every community the American people are in favor of this drastic measure. There was no time in the history of our country where we must be so careful in the proper enforcement of our laws. I disagree with some who say that if this law is enforced that we will have trouble because of its enforcement. I maintain that this law will be almost impossible of enforcement, and if this law fails to be enforced, as it certainly will be as it is drawn, it will create contempt and disregard for law all over this country. That is what the radical element is seeking to do now, showing that all people have not an equal protection of the law, showing that there exists a favored class. Why it is possible under this law to accumulate a large amount of liquor and use it. It is possible for a man who can afford it to take a trip to Cuba and elsewhere and drink to his heart's content. If all States do not pass like enforcement laws and we have various methods of enforcement, if this measure is loosely enforced after we have adopted the eighteenth amendment, it means simply fuel to the radical element to create a disregard for and disobedience to our laws. And this measure now is humanly impossible of being enforced. Why, gentlemen talk about conditions in New York City. You take into consideration the population of New York City, and I am willing to compare the criminal record of New York City, with its 6,000,000 inhabitants, in proportion to population with any dry district in the United States. [Applause.]

You will find for the average of our population we have less crime than you have in your dry districts. Now, I do not say that excess drinking of whisky is good. I do not know anything about it, as I told you, none of my ancestors had that failing. I traced it way back and the only one of my ancestors I could find who drank to excess was a certain Nero, and he got the habit from his mother who was born on the Rhine. [Laughter and applause.]

Is there really an honest desire to carry out the intention of the eighteenth amendment? You do not do it by this bill, and I charge that you do not want to do it. You want to keep up your lecture tours; you want to exploit the drunks. I want to reform them. It has been profitable, it is a great thing for you, and you want to keep it up.

The law is being obeyed in New York City to-day, with its vast population, better than in any other section in the United States, even in the dry States. The hotels have absolutely shut down on serving beverages containing alcohol. The saloons are not serving anything but light beer, I understand, and yet the traffic in bad whisky coming from the dry States is increasing, and men who never drank whisky before will now buy the small, flat flask that can be easily passed and concealed, and pay high prices for it and be poisoned.

Now, this is what you are doing here: You are absolutely stimulating and increasing the use of bad, bad alcohol. If that is your intention, you are going to succeed with this measure. Temperance or prohibition is a matter of education and not of legislation. The Woman's Christian Temperance Union have been doing good work for many years along educational lines. There is less whisky consumed to-day than there was 10, 15, or 20 years ago. By proper education, by proper training, if you really have the interest and the welfare of this country at heart, you can train the people so that the next generation will not use alcohol and will not require any law of this kind. But I say that with this measure as it is drawn here we will not do that, but we will do exactly the contrary. We will create a lot of whisky drinking all through the United States.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. IGOE. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. PELL].

Mr. PELL. Mr. Chairman, there is one point in this bill which strikes me as perfectly outrageous, and that is the provision as to the search of dwellings. It says:

No search warrant shall issue to search any private dwelling occupied as such unless it is in part used for some business purpose such as a store, shop, saloon, restaurant, hotel, or boarding house.

It seems to me to show the entire object for which this bill is to be passed. Take my district, for instance; the more expensive apartments and private houses have not any stores under them, including Mr. Rockefeller's house—a gentleman who is paying for this thing. That has not any store under it. And the same is true of the big apartment houses. They have not shops under them. But I presume 90 per cent of the people living in the cities do live in houses that have stores under them. And those people can be searched. This is a law which is openly and frankly made to apply to the poor and not to the rich. It is a law which is being made to affect the poor, who can not store any wine. Any man who is rich enough to own a house, who is rich enough to live in a good apartment, will be able to stock up to his heart's content. He can keep it and he can get it.

Mr. BARKLEY. Will the gentleman yield?

Mr. PELL. For one question.

Mr. BARKLEY. Would the gentleman vote for an amendment making it possible to have a search warrant issued against a dwelling house regardless of its connection with any other business?

Mr. PELL. I will vote for no amendment for the entrance of any private residence or any American's house for such a purpose no matter whose—urban or rural, rich or poor.

This law is beneficial to the rich. They can get on. The big industries, perhaps, can get a benefit by having less drinking among their men. But the employer, the manager, is able to get all that he pleases.

Now, I can assure you, gentlemen, that in New York this argument is being used for the most sinister purpose. I myself have heard it in open street meetings. I heard this when the Anti-Saloon League brought this law up in the Legislature of New York. This provision was attacked there; and it seems to me, whatever the merits of prohibition are—and I am far from saying I do not see a great deal of good in it—it seems to me most unwise at the present moment for us to pass a law which will add materially to the distinction between the rich and the poor. There is going to be enough of that feeling in any case, and it is most unwise for us at this time to add to it, and also it is most unwise for this House to pass a law which undoubtedly in the great cities will be received with contempt. There is enough contempt of law and enough class feeling already, without adding to it by the passage of such a law.

You can say, indeed, that in the long run the private stock will not affect the issue; that it will be consumed fairly rapidly in three or four or five years; but it is in the next three or four or five years that we will face a very serious social danger. As you know, there are sitting in this House to-day four Members from New York City—two of them Republicans and two of them Democrats—on whom the major parties agreed in order to beat the Socialists. Now, if you pass this law and you allow it to say that every rich man in the country

can do as he pleases and every poor man shall have his residence searched you will find not 4 but 10 such Members coming from the city of New York and many others from other parts of the country. You will be giving these anarchists a tremendous handle, and it seems to me that the distant benefits of national prohibition will be dearly bought at the cost of serious social trouble. There is no use dodging the issue. Bolshevism is a serious danger, and we should do nothing at the present time to further class feeling, discontent, and contempt of the law.

The CHAIRMAN. The time of the gentleman has expired.

Mr. IGOE. Mr. Chairman, I yield to the gentleman from New York [Mr. O'CONNELL] half a minute.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. O'CONNELL. Mr. Chairman, the House having under consideration the so-called prohibition-enforcement act, I desire to take advantage of the opportunity afforded me by my colleague, the distinguished gentleman from Missouri [Mr. IGOE] to attempt in the very short time allowed me a brief statement of my position in respect to this intended law. I have the honor of representing in this body a great district, an aggregation of law-abiding and self-respecting people. Nearly all the nations of the earth have contributed a quota, some more, some less, to this population. I am here as the chosen representative in this House of a section of Brooklyn and Queens Boroughs in the Empire State of New York, where, on last election day, nearly 65,000 votes were cast. If you consider that there are so great a number of voters in the ninth district of New York, is it not reasonable to suppose that fully 300,000 or more people live within its boundaries? There are few, if any, Members of the Congress that have a constituency in excess of that number. The greater the number of people we are here to represent the greater should be the caution and the care with which we should seek to reflect their views when called upon to vote upon a question such as this that seeks to abrogate their rights and their liberties. I agree, sir, with the statements of many of my colleagues when they make the solemn declaration that the drastic and utterly un-American features of this bill, if enacted, will increase the unrest among our people and leave an open cancer in the body politic into which the Bolshevist and Socialist microbe will crawl, find lodgment, and fructify to the danger, yea, the menace of our Government and its safety.

Great lawyers whose standing at the courts of their several States are generally recognized have contended that no instrument yet offered in the history of the Congress of the United States or any separate State thereof has ever attempted any law the equal of the one we have now under consideration. These lawyers are Members of this House. Their legal acumen is a matter of common knowledge and candidly admitted alike by friend and foe of this measure. Then, on the other hand, we have equally eminent jurist Members of this body who support this bill in its entirety. If such legal talent are at odds in the process of making the law, what are we to expect when questions of fact are submitted to the courts of the various States as to what is and is not intoxicating liquor by volume. In the last analysis the courts of the land, and not the Congress, will have to decide this determining factor. Section 3, on page 8, of the bill uses this language:

That no person shall manufacture, sell, barter, give away, transport, import, export, deliver, furnish, receive, or possess any intoxicating liquor.

And so forth.

Here we have a proposition abrogating the right of a man or woman to exercise the function of hospitality in their own home. Is there any land on earth that would tolerate such drastic and mandatory legislation? I am not here as an advocate of, nor do I hold a brief for, the manufacturer of hard liquor so called. On the contrary, I am advocating the right of the man who toils and the good woman who as his wife and helpmate presides over his little home and family to have, keep, furnish, possess, and enjoy a glass of beer and light wine whenever he pleases.

The many people in my district from whom I have heard orally and by mail would be satisfied and contented with this concession. Then again section 7, on page 13, says:

A physician duly licensed shall issue prescriptions for liquor.

Hence the proponents of the bill are on record that this great evil has some good features. I suppose it is a case of "whisky when I'm sick makes me well," and so forth, with them. I agree with many of my colleagues that this law if enacted will be a political question for years to come. This Congress limits the alcohol in a drinking beverage to one-half of 1 per cent. The next may raise it to 5 per cent, the following to 10 per cent, and so on until the end of time. Each succeeding

Congress has the right to enact an enforcement law, and it will according to its wet or dry tendencies. Why the haste in this enactment? Why not give the men whose money is invested in this business a chance to adjust their affairs and wait until the prohibition amendment goes into effect in January next? It is a serious question with them. They should be given an opportunity to get into other enterprises to earn a livelihood. They, too, are Americans, their business was licensed, both by the State and Federal Governments, and they are entitled to this consideration. Gentlemen of the Congress, in conclusion I make a plea for the retention of light wines and beer, and in doing so I cherish the firm conviction that I am reflecting the opinion of a great majority of the electorate of the district whose representative I have the distinguished honor to be and whose interest I hope always to be able to serve while a Member of the House.

Mr. IGOE. Mr. Chairman, I yield half a minute to the gentleman from New York [Mr. GANLY].

Mr. GANLY. Mr. Chairman, owing to the fact that all the time is taken up on this bill I will make the same request.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. GANLY. Mr. Chairman and gentlemen of the House, owing to the fact that the time allotted to those opposed to this measure has already been given out, I will have to content myself with the few brief moments allotted to me to take up but a few of the most important phases of this bill.

I believe that this bill is an unjust bill, because it discriminates between the rich and the poor; it gives the right to the man who owns his own private dwelling to have any supply of beer or wines that he might see fit to have, but the man who is living in a dwelling house or in a house where a store or such is a part is deprived of that right; also the fact that one year ago when this bill was passed in this House it was expressly understood that the people who were then engaged in the liquor business were to be given one year of time in which to close up their business. Another hardship that is imposed upon these men is that in a number of cases they have had leases on stores for from 5 to 10 years. I know of one case myself where a man has a lease on a store for 10 years with 2 years yet to run. What is this man to do with this store after this prohibition question goes into existence? This to my mind is a great injustice to this man. He is absolutely liable for the rent of this store, inasmuch as he has leased it for a certain length of time. And yet he is not in a position to occupy it for the purpose for which it was leased.

The great State of New York, from which I come here as a Member, expressed its feeling toward prohibition in unmistakable words when at the last election it reversed a large Republican majority in that State and elected as its governor Alfred E. Smith, then opposed by Charles Whitman. Mr. Whitman was the supposed leader of the "dry" forces of the State, and he was the only one on the Republican ticket who was soundly and severely beaten. This, I believe, was an indication on the part of the people of that State as to what they thought of prohibition.

There are numerous other legal questions which I believe it will be up to the United States Supreme Court to decide. I want to say, in conclusion, that in one part of my congressional district when the election was held the city of Mount Vernon and the people of that section voted 3 to 1 in favor of "wet." I certainly hope that this bill will be defeated. [Applause.]

Mr. IGOE. Mr. Chairman, I yield four minutes to the gentleman from New York [Mr. CLEARY].

The CHAIRMAN. The gentleman from New York is recognized for four minutes.

Mr. CLEARY. Mr. Chairman and gentlemen, in our Declaration of Independence we begin by saying that men have inalienable rights, among which are life, liberty, and the pursuit of happiness. We then went on and fought a war, and I have never heard that there was any prohibition in the Revolutionary War—but we were remarkably successful—nor in any other war that we have carried on. I believe the boys had some drink over in France in this past war, and it did not hurt them any.

George Washington and his colleagues as the founders of this Nation did not insert in the Constitution any prohibition article. Yet the Constitution of the United States is said to be the wisest charter ever issued or worked out by mortal man.

I can look back over 60 years myself very clearly, and during those 60 years the population of this country has more than doubled. The poor and the oppressed of all nations have come over here for happiness, wealth, health, and everything that human beings enjoy, and they found them here. They did not care to go back, so that we have had a great and glorious Nation here for many, many years. In that time we have developed in every way. Electricity amounted to little or nothing in my early days. Steam was only fairly started. We were not then a great Nation such as we are now. I think when I first remember the population of this country was less than fifty millions, somewhere around forty millions. So that, as I say, we have had a glorious country, going forward in everything, and one of the lessons and one of the ideas of this country during my time has been that "that country is the best governed that governs the least." Sumptuary laws, laws that are unnecessary, laws that are twisted up for the purpose, seemingly, of giving lawyers employment to disentangle them—and that is what this bill looks like—are unwise laws. Even great lawyers, such as yesterday held this floor, were unable to agree as to the effect and meaning of certain provisions of this bill. If that is true, it seems to me we are about to pass a law the meaning of which we shall not know after we shall have passed it.

Now, I believe in temperance, but temperance is a very different thing from total abstinence or prohibition. When you talk about the miseries and troubles of this country, they are very light, I think, compared with those of other nations. In all my long years it seems to me I have dwelt among a very happy and prosperous people. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. VOLSTEAD. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. RANDALL].

The CHAIRMAN. The gentleman from California is recognized for 10 minutes.

Mr. RANDALL of California. Mr. Chairman, a little actual experience is worth a week of argument. For that reason I will ask that the Clerk read in my time a news item from the Los Angeles Examiner relating to the experience of the beach resort of Venice under the present prohibition law.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

VENICE GAINS FROM DRY LAW—FOURTH OF JULY CROWDS MOST ORDERLY AND GENEROUS CITY EVER ENTERTAINED.

Residents of Venice, who feared the city would lose its popularity when the sale of liquor was prohibited, are more cheerful since the Fourth of July. They now declare that not only was patronage increased but the patrons were those who did the city more good from a financial standpoint.

Notwithstanding the enormous crowd on the Fourth, it was the first time in the history of the city that it was not necessary to increase the number of policemen. Most of the policemen on duty were on traffic. Venice never before had as many automobiles parked within its limits. There was no ban on fireworks or firecrackers. There was not one arrest for drunkenness. There was not one reported loss of money or valuables. There was not one injured by explosives or by automobiles. There was not one accident to automobiles. There was no one drowned and no near drownings reported. This is a record that Venice never made before on a Fourth of July.

[Applause.]

Mr. RANDALL of California. Now, for the information of the Members of the House, and particularly for the edification of the gentleman from St. Louis [Mr. IGOE], I ask the Clerk to read an item from the St. Louis Post-Dispatch of July 8.

The CHAIRMAN. Without objection, the Clerk will read the item referred to.

The Clerk read as follows:

CRIME FALLS OFF FIRST DRY WEEK—POLICE REPORTS SHOW DIMINISHING VIOLENCE FOR FIRST SEVEN DAYS OF WAR-TIME PROHIBITION.

The first week of war-time prohibition in St. Louis, which ended last night, has shown a marked decrease in crimes and in the number of arrests.

During the week but one serious instance of bloodshed occurred. This was the case of Peter Birmingham, who was shot and killed by a policeman whom a number of youths had attacked.

With this exception, the police records show only a few minor hold-ups and burglaries. Last night no robbery in the streets was reported, and only a few small thefts in buildings.

The average nightly number of arrests in central police district, the downtown section, which includes Market Street, is now about 4. It was formerly 20 or more.

Acting Chief of Police Gillaspay said to a Post-Dispatch reporter who inquired as to the record of the first dry week:

"It was one of the quietest weeks that the police force had known in many years. Of course, in police work one never knows what is going to happen, but it seems reasonable that, with the cause of much crime eliminated, the results will be lessened."

Mr. RANDALL of California. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back one minute.

Mr. VOLSTEAD. Mr. Chairman, I yield 10 minutes to the gentleman from Washington [Mr. SUMMERS].

The CHAIRMAN. The gentleman from Washington is recognized for 10 minutes.

Mr. SUMMERS of Washington. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. SUMMERS of Washington. Mr. Chairman, national prohibition does not purport to be a panacea for all our ills. However, I am in favor of national prohibition and for its strict enforcement. The ancient wet argument has been made from this floor that prohibition does not prohibit, and that crime in the District of Columbia and other places has increased since the prohibition law went into effect.

We who have lived in wet territory that later became dry know that such arguments will not stand the searchlight of official investigation. We know from abundant observation that every wet argument along this line falls to the ground wherever prohibition has been honestly tried. We know that in my own State of Washington and our neighbor States of Oregon and Idaho and other dry States that the benefits of prohibition are in direct relation to the enforcement of the dry law, and that from the very nature of things stringent enforcement laws are necessary.

I submit to you, Mr. Chairman, that none are so well able to speak on this absorbing topic as the officials who have lived for years in their respective States before the sale of alcoholic liquors was prohibited and who have occupied high official positions before or since these States went dry.

I call to witness Gov. Thomas E. Kilby, of Alabama, who says:

My State went dry January 1, 1915. Prohibition is an unqualified success in Alabama. Drunkenness is reduced to a minimum, crime reduced 50 per cent, and there is a large increase in bank deposits. The new city jail at Birmingham has been empty over a year, and many county jails are without prisoners. The business sentiment of Alabama strongly indorses present prohibition conditions regardless of former attitude on the subject.

I call to witness the late Gov. Ernest Lister of my State of Washington, who after three years' observation testifies:

There has been a marked improvement in conditions. Even in the larger cities, such as Seattle, Spokane, and Tacoma the sentiment for prohibition is much stronger to-day than ever before.

I call Thomas E. Campbell, governor of Arizona, who says:

My State went dry January 1, 1915. Prohibition has resulted in a marked decrease in commitments to penal institutions and the hospitals for the insane. The number of destitute families has greatly decreased. The best possible indorsement is that the voters, after two years' trial, overwhelmingly adopted a more stringent prohibition bill.

Again, I call Gov. Charles H. Brough, of Arkansas, who testifies:

My State went dry January 1, 1916. Conditions are greatly improved since State-wide prohibition went into effect. Crimes have materially decreased. Gen. Leonard Wood stated to me that the principal reason Little Rock secured the Camp Pike cantonment was because of prohibition.

Next I call to witness the governor of Colorado, Oliver H. Shoup, who says:

Colorado went dry January 1, 1916. Colorado has shown a marked advance in many lines. It is safe to say that the State will never revert to the old policy of licensing the liquor traffic.

Again, I call to witness Gov. Davis, of Idaho, who says:

My State went dry January 1, 1916. There is no question of the benefit of prohibition. Countless thousands of our citizens have been benefited directly or indirectly by the elimination of the liquor traffic. We have some cases of illicit selling, but these can not begin to dim the shining light of the new era.

Listen to this testimony of Gov. Allen, of Kansas:

This State has been in the prohibition column since 1881. Prohibition has contributed much to our material welfare. Money that was formerly spent in the support of the liquor traffic is now gone into better food and those things which mean better social conditions; but great as has been the material advance it is on the moral side that Kansas has gained most. Crime has decreased, jails in many counties have been entirely empty for a long period, and pauperism has decreased. The sentiment in Kansas is to-day practically unanimous in its support.

The testimony of Gov. Albert E. Sleeper, of Michigan, declares that after one year arrests for drunkenness all over the State have been cut down to about one-quarter. Business men report that bills are paid more promptly, and the effect of prohibition on general business has been good.

And, again, the governor of Mississippi says after 10 years' observation:

Prohibition has brought a very marked decrease in crime and a marked increase in material prosperity. Our people are delighted with the results.

The governor of Nebraska testifies that—

There is no doubt that if prohibition was to be resubmitted to the people they would give it a much larger affirmative vote than it received when it was first adopted.

Will the gentleman who would return to the old régime listen to the Governor of New Hampshire when he testifies:

Conditions have been so much better under prohibition than under license that many former believers in license are now outspoken for prohibition. We confidently expect even better results after July 1. The comparative arrests for drunkenness in our eight largest cities which were formerly license are:

May, 1917, to March, 1918, under license.....	6,987
May, 1918, to March, 1919, under prohibition.....	1,547

And will the gentleman from Massachusetts, who produced the damp argument, hear the testimony of the Governor of North Carolina:

After 10 years of observation crime is unquestionably less. If we should have a vote on the question to-day, the majority for prohibition would be larger than when it was first voted. Prohibition has the effect of saving money to those who would drink, and general efficiency as well as individual efficiency is enhanced.

Many other governors desire to testify, but time forbids. However, in 28 States where prohibition has been operative from 1 year to 40 years only one governor gives a verdict against prohibition, 1 has not answered, and 26 governors of dry States testify that social and business conditions have been improved and that crime has been reduced 25 to 75 per cent.

Detroit, Washington, Seattle, Indianapolis, Portland, Oregon, Denver, Atlanta, San Antonio, Birmingham, and Omaha are the 10 largest cities in the United States that have been dry more than six months. Their populations vary from 200,000 to 850,000 each. Their mayors and chiefs of police, with a single exception, testify very much as does the chief of police of Portland, Oreg., who says:

Prohibition has been a success. Hundreds of representative citizens who voted against it are now ardent supporters. Buildings formerly occupied by saloons were rented with very little delay. A few months preceding the adoption of prohibition I handled some 1,600 cases of destitution, and in practically every case the head of the family owed a saloon bill. Ten months after the adoption of prohibition I checked 75 corner grocery stores in the district where most of this destitution was, and without a single exception collections from 50 to 75 per cent better were reported. The year preceding prohibition our average daily arrests for drunkenness were 23; the year following the average per day was 23.

And so must every chief of police of every city in the land testify, because criminologists tell us that alcohol is a contributory cause of 85 per cent of all crime, and I challenge any man to prove to the contrary.

The drinking of alcoholic liquors, poverty, and crime go hand in hand, and to the degree to which we suppress the one we eliminate the others, and while we would not interfere with any legitimate industry, business, or profession, this law must necessarily have teeth.

The same total prohibition that was necessary during war to bring our soldiers to their highest efficiency is equally necessary during the final months of demobilization and during reconstruction. [Applause.]

Mr. RANDALL of California. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOLSTEAD. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. Box].

The CHAIRMAN. The gentleman from Texas is recognized for five minutes.

Mr. BOX. Mr. Chairman and gentlemen of the committee, I shall be able to say nothing that will influence the vote of any Member of this body, nor will I be able to make my own position plainer with my own people; but, as this great question comes to a final issue in this great body, I want my voice to go with my vote. I shall support this bill.

The fact that it contains some provisions that I would not have put into it will not deter me from voting for it. We do not get things just as we want them; we have to take them in the best shape that we can get them. The American people have found that the men who have engaged in the manufacture and sale of intoxicating liquor have made their business the mainstay and support of practically all of the evil influences that curse American life. They have made it a corrupting influence in politics and in the courts. It has impaired and lessened productive power and weakened and degraded the human brain. It has become the enemy of the school, the church, and the home. It has done no good, but the greatest harm. In order that its baneful work might be mitigated, the people have tried to regulate it, but it has proven to be an outlaw—no law can restrain it. The American people have therefore determined that its existence shall end. It is a happy day for America when that can be truly said. [Applause.]

Mr. IGOE. I yield the remainder of my time to the gentleman from New York [Mr. GRIFFIN].

The CHAIRMAN (Mr. Good). The gentleman from New York is recognized for 10 minutes.

Mr. GRIFFIN. Mr. Chairman and gentlemen of the committee, New York, it appears, has been most largely intrusted with the duty of speaking against this measure, and from that it might be inferred that New York was particularly anxious to prevent the passage of enforcement laws. Now, please do not make any mistake as to that. New York takes no such stand. It has its own enforcement law. New York stands for law and order, and it is not the first time in the history of this country that the Empire State has been so arrayed. It is not the first time in the history of this country that New York has stood for the fundamental principles which are at the basis of human liberty.

Since I have been in this body I have heard insinuations and words of comment which might be construed as offensive when weighed in their full import as applied to that organization which is known throughout the United States of America as Tammany Hall. That is not the real name of the organization. That is a nickname. The organization in question is, properly speaking, the Columbian Order, and it was founded in 1789, when the institutions of this country were in peril from reactionary forces; when there was no such thing as manhood suffrage, and that much-criticized society led the way in bringing manhood suffrage to fruition.

When the alien and sedition laws were passed, under the administration of that arch Federalist, John Adams, helped by Alexander Hamilton, it was the Columbian Order in New York City—Tammany Hall, if you please—which led the way in protest against those un-American measures and brought about their ultimate repeal, and also incidentally brought about the fall of the Federalist Party in the United States.

Now, New York is not against prohibition enforcement. But we are emphatically against Federal interference with the existing enforcement laws of the individual States or the laws which they may hereafter enact for that purpose. We are opposed to your writing into the eighteenth amendment a definition of the term "intoxicating liquors." That is not the function of the legislative branch of this Government, but belongs inherently in the United States Supreme Court and is essentially a matter of construction and not of legislative opinion. As you know, the Legislature of New York ratified the eighteenth amendment. Personally I believe that the legislature, in ratifying that amendment, did not speak the will of all the people of the State. I believe that the measure should have been submitted to a popular vote of the people. I do go this far and say that New York is in favor of temperance, in favor of temperate living. I was born in New York City, and I say to you gentlemen frankly that I have been in every part of it, both day and night, and I have seen very little of the abuse of liquor. No drunkenness, no crimes against women, no lynching, no disorder.

In fact, it may be said that the industrial populations in our great cities as a rule do not overindulge. This is, doubtless, as true of other industrial centers as it is of New York. Men occupied in useful employments—busy men—are rarely found to be intemperate in drink any more than in other appetites. It is only the idle who fall into vice. You who have these problems of idleness and intemperance to face in your own localities should take a broader and more tolerant view of the needs of others. Why should the great masses of industrial workers in our great cities be deprived of their personal freedom and be hampered by sumptuary laws to help you, in lawless localities, to control evil idlers?

The gentleman from California [Mr. RANDALL] read two extracts, one from a Los Angeles paper and the other from a St. Louis paper, in which it was told how beautifully affairs went on in certain summer resorts under the beneficent influence of this law. What law? Was it the law that you gentlemen propose to pass here? How could that be before you pass it? No; it was the eighteenth amendment. And did it need any enforcement law to make those people respect the law and respect the Constitution? No. The law was respected because of the mere fact of the passage of the constitutional amendment. Instead of being an argument in favor of this law it is an argument against the passage of any enforcement law. You do not need it in the United States. Pass a constitutional amendment in due form and leave it to the manhood, leave it to the patriotism and the sense of self-respect of our citizenship. I assure you that they will enforce the law and they will respect it. I do not believe you have a right to pass an enforcement law. It is the first time in the history of this country that you have ever attempted to pass an enforcement law. We have amended our Constitution eighteen times. Examine these amendments carefully, gentlemen, and you will find this fact staring you in the face, that every constitutional amendment embraced in those 18 amendments was in enlargement of human rights. Each

amendment gave a privilege, it gave something to the citizenship; it did not take anything away. This is the first amendment which has ever deprived the individual of fundamental rights. It is against every tradition, every principle of free institutions.

You have no right to pass an enforcement law. Why? Because precedent is against you. You have never done it before, following up the passage of any other constitutional amendment. You did not do it with the first 10 amendments to the Constitution, because those first 10 amendments were known as the Bill of Rights. They extended human liberty. You did not do it with the fourteenth amendment or the fifteenth amendment. Why? Because you were afraid to offend the principle of State rights. Now, State rights and State sovereignty are just as vital, just as inherent in American institutions to-day as they were at the foundation of this Government. Start on this path now, begin the precedent by passing this criminal code to enforce constitutional amendments, and see where you will land.

Personally I do not give the snap of my finger whether you pass this drastic law or not. I do not know but it might be a matter of good policy on the part of the opponents of this measure to let you go ahead and pass it. The men who are going to vote for this measure do not and will not know what is in it. They do not grasp the full import of its drastic provisions and the violations of individual rights that it contains. Go ahead and pass it and I am willing to trust the presidential veto, or, if it should go further, the final adjudication of the Supreme Court of the United States.

The only solicitude I have in the matter is that at a time when you are cutting off from the available revenue of the country heretofore received the immense volume of taxes from wines, beers, and spirituous liquors, and at a time when retrenchment should be observed in every legislative act, you are about to establish a stupendous governmental agency with vast hordes of revenue agents, inspectors, and other emissaries to irritate and pester the citizenship of our land and fatten themselves upon the Public Treasury. The loss of revenue due to prohibition for the next fiscal year is estimated to be about \$600,000,000. When we add to that the inevitable loss of receipts from the income tax and excess-profit tax the total reduction of the national revenue will probably be near to \$1,000,000,000. Instead of devising schemes to further reduce the national revenue, we ought to concern ourselves with the problem of increasing it.

It is almost too petty to believe, and yet the curious coincidence of the views of those hailing from the smaller States of the Union in favor of a national-enforcement act raises the suspicion that they are anxious to throw the expense of the enforcement of prohibition upon the Nation at large instead of upon the individual States, because they know that their States will only have to bear the merest fraction of the cost. This is selfish, unneighborly, and unjust. The States that pay the highest proportion of the national revenue in taxes will have to bear the principal burden of local enforcement of this odious and pernicious measure. And I warrant you that if this measure becomes a law there will be more of the national revenues frittered away in its enforcement in the States of many of you gentlemen, with your less than a million inhabitants, than will be expended for that purpose in the great imperial State of New York. In other words, there is a reasonably well-founded suspicion that you are trying to shirk your responsibilities.

I have no doubt that your resentment against drunkenness and its incidental and consequential crimes is fully justified. But may it not be justly asked if a large part or your trouble is not due to the defects in your educational facilities? Why not tax yourselves adequately and thus provide sufficient revenues to maintain schools? How can you expect intemperance of any kind to be driven out of human nature except by education? You can not drive murder out of the heart of primitive man by putting firearms beyond his reach. He will accomplish his purpose with club or stone or even with his bare hands. How can you expect to drive drunkenness away by laying the ban upon a few sources of abuse? Do not reply that you have enumerated in this bill a great many sources of temptation. You certainly have done all of that. Your failure is not due to want of industry in microscopic detail, but rather to want of understanding of human nature and failure to appreciate the fundamental principles of human liberty.

PROTESTS.

TELEGRAMS.

Fred. C. Arner, Buffalo, N. Y.; Max Bockemeyer, 609 Eagle Avenue, New York City; R. Becker, 609 Eagle Avenue, New York City; Gustave Essig, 762 Hegner Place, Bronx, New York City; the International Laboratories (Inc.), Binghamton, N. Y.;

the Wylie B. Jones Advertising Agency, Binghamton, N. Y.; Jacob Kraft, 2950 Third Avenue, Bronx, New York City; the D. R. Kilmer Co., Binghamton, N. Y.; the Foster-Millburn Co., Buffalo, N. Y.; the Mentholatum Co., Buffalo, N. Y.; the F. A. D. Richter Co., New York City; Henry Rippel, 602 St. Anns Avenue, New York City.

LETTERS.

The Austin-Nichols Co., Third Avenue and One hundred and twenty-ninth Street, New York City; E. O. Cox, 45 West One hundred and seventy-seventh Street, Bronx, New York City; the California Grape Protective Association, San Francisco, Calif.; William J. Cronin, 2552 Kenmore Place, Brooklyn, N. Y.; the B. B. Davis Co., 248 Hudson Street, New York City; the Union of United Brewery, Flour, Cereal, and Soft Drink Workers of America, Cincinnati, Ohio; the Nord-Oestlicher Sangerbund von Amerika, Philadelphia, Pa.; the Paris Allen Co., 60 Broadway, New York City; the Retail Liquor Dealers' Association, 444 Willis Avenue, New York City; the Retail Liquor Dealers' Association, 790 Forest Avenue, New York City; Jacob Seligson, 706 East One hundred and sixty-fifth Street, New York City; Messrs. Seaman Bros., 57 North Moore Street, New York City; Henry Schmidt, 437 Westchester Avenue, New York City; E. Wuppermann, the Cortina Academy, 12 East Forty-sixth Street, New York City.

The CHAIRMAN. The gentleman from Missouri [Mr. IGOE] has one minute remaining.

Mr. IGOE. I want to take that one minute to ask the gentleman from Minnesota a question. The prohibitionists are such liberal people that they want the people of the country and the legislatures to have a free hand in passing upon these questions. I will ask the gentleman if his side is willing to give the House the chance on Monday, in the consideration of this bill, to vote for a straight-out repeal of the war-time prohibition law? I understood in all the speeches that were made here that this question should be freely and fairly considered by the people at large and by the legislatures. That is a fair proposition.

Mr. VOLSTEAD. Personally I am not in a position to answer that question. There has been no discussion about it as far as I know.

Mr. IGOE. Will the gentleman assist us in getting that opportunity for a vote?

Mr. VOLSTEAD. I do not want to make any promise, because I do not know how the membership will feel about it.

The CHAIRMAN. The gentleman from Minnesota has eight minutes remaining.

Mr. VOLSTEAD. Mr. Chairman, I would not occupy any time except for one fact. In the discussion here an effort has been made to show that the bill originated somewhere else than in the committee or membership of the House. I am perfectly willing to be frank with the House and tell them exactly where it originated. I do not think anybody has any hesitation in having their names connected with it who believe in prohibition. Two bills were introduced in the Senate, one by Senator JONES of Washington and another by Senator SHEPPARD. Anyone who cares can get copies of those bills. They were introduced some time before this bill was introduced. They were used as a basis on which this bill was drawn. The Senate Judiciary Committee attempted after this bill was introduced to make a comparison of the three bills. You can get a copy of that comparison and see how the three match. They were unable to match many of the sections of this bill with either of the Senate bills.

No one should draw a bill of this kind without making use of legislation that has been tried out in other jurisdictions. Anyone who would attempt to originate a bill without doing that would be exceedingly foolish. The bill was largely modeled on the Ohio law. I have the Ohio statute, and you will find a large number of these provisions in that statute. And, by the way, the Ohio statute is much more drastic than the provisions of this bill. I have it here so that I can satisfy anyone who is curious on the subject. Every State, I believe, that has a prohibition law has the essential features of this bill, including Iowa, Oregon, Kansas, North Dakota, South Dakota, Minnesota, Nebraska, Idaho, Alaska, Washington, and I might mention a number of others.

Some reference has been made to the concurrent power of the State government with the Federal Government. In a way I am in some measure responsible for that provision. At a hearing before the Judiciary Committee I called their attention to one fact, that in case no reservation was made to the States Congress might set aside every State prohibition law in the Union. I was not willing to risk any such thing as that, and for that reason suggested to the committee that a reservation of power in the States to deal with the matter ought to be embodied in the amendment.

When this amendment was passed in the Senate and came here to the House it had no such reservation, and I again insisted that it ought to go into the amendment. I do not mean to suggest that there was any real opposition to the proposition in the committee. I think it is a wise and proper provision. I did not have anything to do with drafting the provision; however, I think the language is all right.

I am not going to discuss the constitutionality of it. I do not think that needs any argument. The cases cited in opposition to it clearly prove that a State or the National Government can pass criminal laws for the enforcement of it, and that is all we expect or ask to do in this bill. There can be no conflict, and it seems utterly ridiculous to me to expect that the Supreme Court will take the view that has been suggested.

One thing more in closing, I have followed this discussion with a good deal of interest, and I have noticed that nearly every one that has objected to this bill because of its alleged unconstitutionality comes from a large wet city. Why is it that only the large wet cities can see anything unconstitutional in it? Why is it the representatives of such localities especially object to it as drastic and unfair? Is there any connection between their view of the law and their opposition to this measure.

Many of these men not only urge that it is drastic and unconstitutional but that we ought not to enforce the amendment at all. They insist that we ought to ignore the will of the people as expressed in this amendment. This bill is not drastic. I hold in my hand a compilation of the New York liquor laws. In that State you provide for a search warrant much more drastic than we have. You have an injunction provision in the New York law to stop the illegal sale of intoxicating liquor the same as we have in this bill. It is more drastic than anything we have, and still the Representatives from New York hold up their hands in holy horror. Turn to any one of the prohibition States and you will find the same situation. You will find, I believe, in every State a provision for issuing a search warrant for taking liquor held in violation of law, and many have provisions for search without a warrant. We do not allow anything of that kind. We provide for a warrant, and it can not be issued except under the most stringent regulations.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. GRIFFIN. Can the gentleman find anything in the New York law which delegates the function of a magistrate to a revenue officer, as you do in this measure?

Mr. VOLSTEAD. We do nothing of the kind. The gentleman does not know what he is talking about. The New York code allows any justice of the peace or magistrate to issue search warrants. We do not permit anything of the kind; we permit only a court of record or a United States commissioner to issue search warrants. [Applause.]

Mr. GRIFFIN. Does the gentleman find anything in the New York law which permits a man who swears out the warrant to execute it and then to sit as a committing magistrate?

Mr. VOLSTEAD. No; and there is no such provision in this bill.

Mr. GRIFFIN. Oh, sure you do in your section 2 of the bill.

Mr. VOLSTEAD. There is no such provision in the bill.

Mr. GRIFFIN. I will show it to the gentleman in a moment.

Mr. VOLSTEAD. The search-warrant proposition is a copy of the New York code modified so as to make it less drastic than the New York code. That is the actual situation. [Applause.]

Mr. GRIFFIN. I understand the gentleman yields?

Mr. VOLSTEAD. Yes.

Mr. GRIFFIN (reading)—

Sec. 2. That the Commissioner of Internal Revenue, his assistants, agents, and inspectors, shall investigate and report violations of this act to the United States attorney for the district in which committed, who shall be charged with the duty of prosecuting the offenders, subject to the direction of the Attorney General, as in the case of other offenses against the laws of the United States—

Mr. VOLSTEAD. I can not permit the gentleman to take up my time by reading the bill.

The CHAIRMAN. The gentleman declines to yield.

Mr. GRIFFIN (reading)—

... and such Commissioner of Internal Revenue, his assistants, agents, and inspectors, may swear out warrants before United States commissioners or other officers or courts—

Mr. VOLSTEAD. I object to the gentleman's continuing the reading of that in my time.

Mr. GRIFFIN. It is only just a line. The gentleman challenged my statement, and I want to show the gentleman that he is wrong.

The CHAIRMAN. The gentleman from New York is out of order.

Mr. VOLSTEAD. The provision in there simply gives some of those officers—

Mr. CALDWELL. Mr. Chairman, a point of order. The gentleman from Minnesota [Mr. VOLSTEAD], having the floor, yielded to the gentleman from New York and asked him to read this.

The CHAIRMAN. The point of order is overruled, and the gentleman from Minnesota has the floor.

Mr. CALDWELL. If the Chair will bear with me, I know the Chair wants to be fair, and I am arguing the point of order.

The CHAIRMAN. The gentleman declines to yield further.

Mr. CALDWELL. I understand; but will the Chair listen to my argument?

Mr. BLANTON. Mr. Chairman, I demand the regular order. [Cries of "Regular order!"]

The CHAIRMAN. The point of order is overruled. The gentleman from Minnesota has the floor.

Mr. CALDWELL. So the Chair refuses to listen to the discussion of this point of order?

Mr. VOLSTEAD. That provision simply authorizes one of those officers to swear out a complaint and to go before a magistrate to prosecute it.

Mr. GRIFFIN (reading)—

* * * and may, subject to the control of the said United States attorney, conduct the committing trial.

Mr. VOLSTEAD. Oh, I know that by heart, and I refuse to yield further. It has not anything to do with a search warrant, but is an entirely different subject, and does not authorize what you claim at all. Read it again, and you will probably see how ridiculous the claim is.

The CHAIRMAN. The time of the gentleman from Minnesota has expired. All time has expired.

Mr. GRIFFIN rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GRIFFIN. I rise to ask unanimous consent to speak for one minute. I gave back one minute of my time.

The CHAIRMAN. All time has expired as fixed by the House.

Mr. GRIFFIN. I ask unanimous consent to speak for one minute.

The CHAIRMAN. Is there objection?

Mr. BLANTON. I object.

Mr. LONGWORTH. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LONGWORTH. Will this bill be read by sections or by paragraphs?

The CHAIRMAN. The bill will be read by sections.

Mr. VOLSTEAD. Mr. Chairman, I ask that the bill be now read for amendment.

Mr. LONGWORTH. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LONGWORTH. At what point in the reading of this bill would it be in order to move to strike out title 1?

The CHAIRMAN. At the end of the first section, that part of title 1, the motion to strike out would be in order.

Mr. LONGWORTH. The Chair ruled the first section should be read and at the conclusion of the reading of that first section it would be in order to move to strike out title 1.

The CHAIRMAN. It would be in order to move to strike out section 1 and give notice that if section 1 is stricken out a similar motion will be made to strike out the subsequent sections of title 1. The clerk will read.

The Clerk began the reading.

Mr. BLANTON. Mr. Chairman, I make the point of order that there is no quorum present. Mr. Chairman, I withdraw it. The Clerk read as follows:

A bill (H. R. 6810) to prohibit intoxicating beverages, and to regulate the manufacture, production, use, and sale of high-proof spirits for other than beverage purposes, and to insure an ample supply of alcohol and promote its use in scientific research and in the development of fuel, dye, and other lawful industries.

Be it enacted, etc.—

TITLE I.

TO PROVIDE FOR THE ENFORCEMENT OF WAR PROHIBITION.

Mr. IGOE. Mr. Chairman, I want to be sure that the Chair has ruled that the reading of the first section, if completed, would not prejudice the right to offer amendments up to that point as to striking out the title. A parliamentary inquiry—

The CHAIRMAN. After the first section has been read then it will be in order to move to strike out.

Mr. IGOE. I ask unanimous consent at this point to inquire of the gentleman from Minnesota, for the benefit of the House, if it is his plan to rise when the reading of the first section has

been completed and reserve the right to offer amendments to that section, to be considered on Monday and offered on Monday?

Mr. VOLSTEAD. I presume under the parliamentary rules that will be correct, and it is my intention to move that the committee rise as soon as the first section has been completed.

The Clerk read as follows:

That the term "war prohibition act" used in this act shall mean the provisions of any act or acts prohibiting the sale and manufacture of intoxicating liquors until the conclusion of the present war and thereafter until the termination of demobilization, the date of which shall be determined and proclaimed by the President of the United States. The words "beer, wine, or other intoxicating malt or vinous liquors" in the war prohibition act shall be construed to mean any liquors which contain one-half of 1 per cent or more of alcohol by volume.

Mr. LONGWORTH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LONGWORTH. If the motion of the gentleman prevails, will that still leave it in order on Monday to move to strike out section 1?

The CHAIRMAN. It will.

Mr. GARNER. Or any other amendment that may be offered to section 1.

The CHAIRMAN. Any other germane amendment.

Mr. LONGWORTH. Either a perfecting amendment or an amendment to strike out?

The CHAIRMAN. Yes.

Mr. LONGWORTH. Another question. A motion to perfect section 1 would have preference over a motion to strike out?

The CHAIRMAN. It would.

Mr. LONGWORTH. But it would not prejudice, after any perfecting amendments were considered, the right to move to strike out?

The CHAIRMAN. Certainly not. That would be in order after all perfecting amendments had been passed upon and before the reading of the second paragraph.

Mr. LONGWORTH. Might it be offered and remain pending during the consideration of perfecting amendments?

Mr. CALDWELL. By unanimous consent.

The CHAIRMAN. The Chair thinks so, but only by unanimous consent.

Mr. MADDEN. I think the Chair is wrong about that. I think it is in order for gentlemen to offer any amendment, but the vote would not be taken on the motion to strike out until all perfecting amendments had been voted upon.

The CHAIRMAN. That is correct.

Mr. VOLSTEAD. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Good, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 6810 and had come to no resolution thereon.

EXTENSION OF REMARKS.

Mr. TINKHAM. Mr. Speaker, on Tuesday last I introduced a House resolution in relation to the creating of a bureau in the Department of Labor which had to do with living and housing conditions. I ask unanimous consent to insert a statement in the Record in relation to that bill, explaining it and the necessity for its prompt consideration.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the Record on the subject stated. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. VOLSTEAD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 40 minutes p. m.) the House adjourned to meet on Monday, July 14, 1919, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. PLATT, from the Committee on Banking and Currency, to which was referred the bill (H. R. 6806) to amend section 25 of the act of December 23, 1913, known as the Federal reserve act, for the purpose of encouraging foreign trade, reported the same with amendment, accompanied by a report (No. 109), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 6861) to amend section 1 of the act approved July 17, 1916, known as the Federal farm-loan act, so as to provide for the payment of the expenses of the Federal Farm Loan Board and employees by the Federal land banks and joint-stock land banks, reported the same with amendment, accompanied by a report (No. 110), which said bill and report were referred to the House Calendar.

Mr. ESCH, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 7015) governing the tolls to be paid at the Panama Canal, reported the same without amendment, accompanied by a report (No. 113), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. McKINIRY, from the Committee on Claims, to which was referred the bill (H. R. 5665) for the relief of Carlow Avellina, reported the same with amendment, accompanied by a report (No. 111), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (S. 253) for the payment of claims for the loss of private property on account of the loss of firearms and ammunition taken by the United States troops during the labor strikes in the State of Colorado in 1914, reported the same without amendment, accompanied by a report (No. 112), which said bill and report were referred to the Private Calendar.

Mr. BEE, from the Committee on Claims, to which was referred the bill (H. R. 1761) for the relief of the Farmers' National Bank of Wilkinson, Ind., reported the same with amendment, accompanied by a report (No. 114), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BLAND of Indiana: A bill (H. R. 7248) to authorize the acquisition of a site and the erection of a Federal building at Bicknell, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. AYRES: A bill (H. R. 7249) authorizing the Secretary of War to donate to the city of Caldwell, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BRINSON: A bill (H. R. 7250) authorizing the acquisition of a site for a public building at Clinton, Sampson County, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. CANNON: A bill (H. R. 7251) authorizing the Secretary of War to donate to the city of Watseka, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SMITH of Michigan: A bill (H. R. 7252) authorizing the Secretary of War to donate to the city of Kalamazoo, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7253) authorizing the Secretary of War to donate to the city of Quincy, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7254) authorizing the Secretary of War to donate to the city of Marshall, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7255) authorizing the Secretary of War to donate to the city of Coldwater, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7256) authorizing the Secretary of War to donate to the city of Battle Creek, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7257) authorizing the Secretary of War to donate to the city of Grand Ledge, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7258) authorizing the Secretary of War to donate to the city of Albion, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LINTHICUM: A bill (H. R. 7259) authorizing the Secretary of War to donate to the city of Baltimore, Md., 10 German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. SMITH of Michigan: A bill (H. R. 7260) for the purchase of a site for the erection thereon of a public building at Eaton Rapids, Mich.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7261) to provide that in the construction and application of the pension laws a soldier or sailor shall be considered of good health at the time of his enlistment; to the Committee on Invalid Pensions.

By Mr. JACOWAY: A bill (H. R. 7262) extending the time for the construction of the Main Street Bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 7263) extending the time for the construction of the Broadway Street Bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.; to the Committee on Interstate and Foreign Commerce.

By Mr. FORDNEY: A bill (H. R. 7264) to repeal the act entitled "An act to promote reciprocal trade relations with the Dominion of Canada, and for other purposes," approved July 26, 1911; to the Committee on Ways and Means.

By Mr. BEGG: A bill (H. R. 7265) authorizing the Secretary of War to donate to the village of Birmingham, Erie County, Ohio, one German cannon or fieldpiece, with accompaniments; to the Committee on Military Affairs.

By Mr. CAMPBELL of Kansas: Concurrent resolution (H. Con. Res. 18) directing the Department of Agriculture, the Interstate Commerce Commission, and the Federal Trade Commission to cooperate for the purpose of reducing the cost of producing, manufacturing, and transporting food to consumers; to the Committee on Interstate and Foreign Commerce.

By Mr. UPSHAW: Concurrent resolution (H. Con. Res. 19) directing the Secretary of War to sell immediately the surplus foodstuffs now on hand; to the Committee on Military Affairs.

By Mr. ELLIOTT: Resolution (H. Res. 170) directing the Department of State to furnish the House of Representatives with certain information relative to the expenses of the peace commission; to the Committee on Expenditures in the Department of State.

By Mr. WALSH: Resolution (H. Res. 171) to authorize the Speaker to appoint a select committee of six members of the House to inquire into the operations of the United States Shipping Board and the United States Emergency Fleet Corporation, or any agency, branch, or subsidiary of either; to the Committee on Rules.

By Mr. NELSON of Wisconsin: Memorial of the Legislature of Wisconsin, urging the Congress of the United States to acquire, control, and regulate the principal and necessary stockyards and the refrigerator and other private car lines in the United States; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES: A bill (H. R. 7266) granting an increase of pension to Eli C. Wilson; to the Committee on Invalid Pensions.

By Mr. BLAND of Indiana: A bill (H. R. 7267) granting a pension to Belle Grisamore; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 7268) granting an increase of pension to James R. Lewis; to the Committee on Invalid Pensions.

By Mr. FOCHT: A bill (H. R. 7269) granting a pension to Agnes Gibbons; to the Committee on Invalid Pensions.

By Mr. GARD: A bill (H. R. 7270) granting an increase of pension to Moses Goldstein; to the Committee on Pensions.

By Mr. LAGUARDIA: A bill (H. R. 7271) granting an increase of pension to John Kennedy; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 7272) for the relief of the heirs of Michael Carling, assignee of Joseph R. Shannon, deceased; to the Committee on Claims.

Also, a bill (H. R. 7273) for the relief of Margaret A. Curley; to the Committee on War Claims.

Also, a bill (H. R. 7274) granting a pension to Walter Sewell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7275) granting a pension to John H. Warren; to the Committee on Pensions.

By Mr. MacGREGOR: A bill (H. R. 7276) granting a pension to William Olday; to the Committee on Pensions.

By Mr. MAPES: A bill (H. R. 7277) granting a pension to Adelia M. Whitcomb; to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 7278) granting an increase of pension to Lewis Rankin; to the Committee on Invalid Pensions.

By Mr. NICHOLS of Michigan: A bill (H. R. 7279) granting an increase of pension to Margaret Drew; to the Committee on Pensions.

By Mr. REAVIS: A bill (H. R. 7280) granting a pension to Oslah Attison; to the Committee on Invalid Pensions.

By Mr. REED of New York: A bill (H. R. 7281) granting an increase of pension to Henry B. Pitner; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 7282) granting an increase of pension to Jesse A. Trent; to the Committee on Pensions.

By Mr. SHREVE: A bill (H. R. 7283) granting an increase of pension to Hiram Prusia; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 7284) granting an increase of pension to Lillie P. Hinman; to the Committee on Pensions.

By Mr. WILLIAMS: A bill (H. R. 7285) granting a pension to John H. Franklin; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of members of the section on industrial medicine and surgery of the American Medical Association, urging an appropriation by Congress of not less than \$1,500,000 to be used under the direction of the United States Public Health Service for the investigation, prevention, and cure of influenza, pneumonia, and allied diseases, this sum to be made available to July 1, 1922; to the Committee on Appropriations.

By Mr. CAREW: Petition of the thirty-ninth annual convention of the American Federation of Labor, opposing mob rule and lynching; to the Committee on the Judiciary.

Also, petition of the Grand Lodge, Brotherhood of Railroad Trainmen, urging adoption of the league of nations and pledging support to the President; to the Committee on Foreign Affairs.

By Mr. COLE: Petition of seventh ward branch of the Milwaukee (Wis.) Socialist Party, protesting against the action of Congress in denying Victor L. Berger a seat in Congress; to the Committee on Elections No. 1.

By Mr. CURRY of California: Petition of Golden Gate Lodge, No. 799, Brotherhood of Railway Carmen of America, protesting against the high cost of living; to the Committee on Interstate and Foreign Commerce.

By Mr. DALLINGER: Resolution of the Gold Beaters' Union of Boston and vicinity, favoring the league of nations; to the Committee on Foreign Affairs.

By Mr. DICKINSON of Missouri: Petition of 22 druggists and other merchants of Carroll County, Mo., asking for repeal of tax on patent medicines, toilet articles, sodas, etc.; to the Committee on Ways and Means.

By Mr. DYER: Resolution of the board of directors of the Merchants' Exchange of St. Louis, Ill., approving the report of the special committee on budget and efficiency of the Chamber of Commerce of the United States, relating to the adoption of a budget system for the National Government; to the Committee on Appropriations.

By Mr. ESCH: Petition of members of the section on industrial medicine and surgery of the American Medical Association, in favor of an appropriation of \$1,500,000 for prevention and cure of influenza, pneumonia, and allied diseases; to the Committee on Appropriations.

By Mr. FRENCH: Petition of sundry citizens of Gem County, State of Idaho, against the repeal of the war-time prohibition; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: Petition of the Free Sewing Machine Co., of Rockford, Ill., opposing continuance of the United States Employment Service; to the Committee on Labor.

Also, petition of Skandinavia Lodge, No. 6, International Order of Good Templars, of Rockford, Ill., for enforcement of the eighteenth amendment to the Federal Constitution; to the Committee on the Judiciary.

By Mr. FULLER of Massachusetts: Petition of Andrew Johnson, chief templar; Carl J. Carlberg, secretary; and others, members of Framat Lodge, No. 3, International Order of Good Templars, at Malden, Mass., urging the United States House of Representatives to promptly enact at this special session of Congress laws providing for the full enforcement of the eighteenth amendment to the United States Constitution, and also definitely defining intoxicating liquors; to the Committee on the Judiciary.

By Mr. GILLET: Petition of City Council of Worcester, Mass., urging Congress to do all that it properly can do to promote the claims and requests presented to the peace conference by the Italian Government; to the Committee on Foreign Affairs.

By Mr. GRAHAM of Illinois: Petition of sundry citizens of Moline, Ill., requesting enactment of laws for full enforcement of the eighteenth amendment to the Constitution; to the Committee on Ways and Means.

By Mr. LEHLBACH: Petition of sundry citizens of New Jersey, for repeal of tax on sodas, etc.; to the Committee on Ways and Means.

By Mr. NELSON of Wisconsin: Petition of M. A. Sharka, of Rhinelander, Wis., requesting the withdrawal of the Polish Army from Lithuania; to the Committee on Foreign Relations.

By Mr. O'CONNELL: Petition of members of the section on industrial medicine and surgery of the American Medical Association, urging appropriation of \$1,500,000 to be used under the direction of the United States Public Health Service for the investigation of the causes, modes of transmission, prevention, and cure of influenza, pneumonia, and allied diseases, this sum to be available to July 1, 1922; to the Committee on Appropriations.

Also, petition of National Federation of Federal Employees, opposing Representative Goon's amendment to the Nolan minimum-wage bill for Government employees; to the Committee on Labor.

By Mr. OSBORNE: Petition of the Clay Products' Association, of Los Angeles, Calif., urging that the freight rates suspension power be restored to the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

Also, memorial of district No. 5, California State Nurses' Association, urging that Army rank be given to nurses; to the Committee on Military Affairs.

By Mr. RANDALL of Wisconsin: Petition of George S. Glerum, H. L. Rose, and 27 other citizens of Kenosha, Wis., requesting the repeal of section 904 of the 1918 Federal income-tax law; to the Committee on Ways and Means.

By Mr. RUCKER: Petition of sundry citizens of Brookfield, Mo., for repeal of tax on candy, ice cream, etc.; to the Committee on Ways and Means.

By Mr. VARE: Memorial of the National Benedictine Association against the Smith-Towner bill; to the Committee on Education.

SENATE.

MONDAY, July 14, 1919.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to our tasks to-day with a sense of leadership among the nations of the earth and of mighty power. We pray that we may have the wisdom which will justify our leadership and the grace which will sanctify our power, that we may be so guided by Thy Holy Spirit and by the precepts of Thy word that we shall conform our leadership and the expressions of all our power to the Divine will and the Divine service, that we may be a Nation whose Lord is God, serving Thee with singleness of heart and purpose. Bless us in the discharge of these high and holy duties. For Christ's sake. Amen.

The Journal of the proceedings of Thursday last was read and approved.

RESALE PRICE MAINTENANCE (H. DOC. NO. 145).

The VICE PRESIDENT laid before the Senate a communication from the Federal Trade Commission, transmitting, pursuant to law, a special report dealing with the subject of resale price maintenance, which, with the accompanying paper, was referred to the Committee on Interstate Commerce and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 2847. An act providing additional aid for the American Printing House for the Blind; and

H. J. Res. 120. Joint resolution authorizing the Secretary of War to receive, for instruction at the United States Military Academy at West Point, Tao Hung Chang and Zeng Tze Wong, citizens of China.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a memorial of 300 disabled soldiers of the United States Federal Hospital No. 36, Detroit, Mich., remonstrating against a reduction of the appropriation for the maintenance of the Federal Board for